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JOURNAL

OF THE

ASSEMBLY.

1849.

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JOURNAL

OF THE SECOND SESSION OF THE

449

ASSEMBLY,

OF THE

STATE OF WISCONSIN:

MAY 19 1903

BEGUN AND HOLDEN AT MADISON, ON THE 10TH DAY
OF JANUARY, AND ENDING APRIL 2ND A. D. 1849

BY AUTHORITY.

MADISON, WIS
D. T. DICKSON---State Printer.
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JOURNAL

OF THE

ASSEMBLY.

First Annual Session of the Second Legislature of the State of Wisconsin, begun and held at Madison, the Seat of Government of said State, on the Second Wednesday of January, being the tenth day of said month, in the year A. D. 1849, *the same being the day prescribed by law for the Annual meeting of said Legislature.*

At twelve o'clock, Meridian, of said day, the assembly was called to order by Daniel Noble Johnson, chief clerk, and the roll of members elect, as returned by the proper county authorities to the office of secretary of state, having been called, the following named members who had severally presented their certificates of election and taken the oath of office, appeared and took their seats, to wit:

From the county of Brown,—

From the county of Calumet,—A. D. Dick.

From the county of Manitowoc,—

From the county of Marquette,—Saterlee Clark, Jr.

From the county of Winnebago,—Thomas J. Townsend.

From the county of Columbia,—Joseph Kerr.

From the counties of Crawford and Chippewa,—J. O'Niel.

From the counties of St, Croix and La Pointe,—

From the towns of Windsor, Sun Prairie and Cottage Grove, in the county of Dane,—Charles Rickerson.

From the towns of Madison, Cross Plains, Clarkson, Springfield, Verona, Montrose, Oregon and Greenfield, in the county of Dane,—Ira W. Bird.

From the towns of Rome, Dunkirk, Christiana, Albion and Rutland, in the county of Dane,—Samuel H. Roys.

From the towns of Burnett, Chester, LeRoy and Williamstown, in the county of Dodge,—Paul Juneau.

From the towns of Fairfield, Rubicon and Hubbard, in the county of Dodge,—Hiram Barber.

From the towns of Hustisford, Asshippan, Lebanan and Emmett, in the county of Dodge,—George G King.

From the towns of Elba, Lowell, Portland and Clyman, in the county of Dodge,— —— Kimball.

From the towns of Calamus, Beaver Dam, Fox Lake and Trenton, in the county of Dodge,—Parker Warren.

From the towns of Calumet, Forest, Auburn, Byron, Taycheda and Fond du Lac, in the county of Fond du Lac,—Morgan L. Noble.

From the towns of Alto, Metomon, Ceresco, Rosendale, Waupun, Oakfield and Seven Mile Creek, in the county of Fond du Lac,—Jona. Daugherty.

From the precincts of Hazle Green, Fairplay, Smeltzer's Grove and Jonestown, in the county of Grant, —Robert Young.

From the precincts of Platteville, Head of Platte, Centreville, Muscoday and Fennimore, in the county of Grant,—

From the precincts of Pleasant Valley, Potosi, Waterloo, Hurricane and New Lisbon, in the county of Grant,—Davis Gillilan,

From the precincts of Beetown, Patch Grove, Cassville, Millville and Lancaster, in the county of Grant.—M. Briggs.

From the county of Green,—J. C. Crawford.

From the precincts of Dallas, Pedlar's Creek, Mineral Point and Yellowstone, in the county of Iowa,—Jabez Pierce.

From the precincts of Franklin, Dodgeville, Porter's Grove, Arena and Percussion, in the county of Iowa,—Timothy Burns.

From the towns of Watertown, Aztalan and Waterloo, in the county of Jefferson,—Benjamin Nute.

From the towns of Ixonia, Concord, Sullivan, Hebron and Cold Springs, in the county of Jefferson,—J. K. Pike.

From the towns of Lake Mills, Oakland, Koskonong, Farmington and Jefferson, in the county of Jefferson,—William H. Johnson.

From the precincts of Benton, Elk Grove, Belmont, Willow Springs Prairie, and that part of Shullsburg precinct north of town one, in the county of LaFayette,—Daniel M. Parkinson.

From the precincts of Wiota, Wayne, Gratiot, White Oak Springs, Fevre River, and that part of Shullsburg precinct south of town two, in the county of LaFayette,—William Hill.

From the first ward of the city of Milwaukee,—James B. Cross.

From the second ward of the city of Milwaukee,—Zelotus A. Cotton.

From the third ward of the city of Milwaukee,—Julius White.

From the fourth and fifth wards of the city of Milwaukee,—Stoddard H. Martin.

From the towns of Franklin and Oak Creek, in the county of Milwaukee,—John Flynn, Jr.

From the towns of Greenfield and Lake, in the county of Milwaukee,—Enoch Chase.

From the towns of Granville, Wauwatosa and Milwaukee, in the county of Milwaukee,—Robert Wason, Jr.

From the county of Portage,—John Delaney.

From the town of Racine, in the county of Racine,—Marshall M. Strong.

From the towns of Norway, Raymond, Caledonia and Mount Pleasant, in the county of Racine,—James D. Reymert.

From the towns of Rochester, Burlington and Yorkville, in the county of Racine,—M. S. Ayres.

From the towns of Southport, Pike and Pleasant Prairie, in the county of Racine,—Otis Colwell.

From the towns of Paris, Bristol, Brighton, Salem and Wheatland, in the county of Racine,—Herman S. Thorp.

From the towns of Janesville, Bradford and Harmony, in the county of Rock,—Anson W. Pope.

From the towns of Beloit, Turtle and Clinton, in the county of Rock,—Samuel G. Colley.

From the towns of Magnolia, Union, Porter and Fulton, in the county of Rock,—Lucius H. Page.

From the towns of Milton, Lima and Johnstown, in the county of Rock,—Paul Crandall.

From the towns of Newark, Rock, Avon, Spring Valley and Centre, in the county of Rock,—Josiah F. Willard.

From the county of Sauk, C. Leland.

From precincts numbered one, three and seven, in the county of Sheboygan,—H. C. Hobart.

From precincts numbered two, four, five and six, in the county of Sheboygan,—Jedediah Brown.

From the towns of Troy, East Troy, and Spring Prairie, in the county of Walworth,—Samuel Pratt.

From the towns of Whitewater, Richmond and La Grange, in the county of Walworth,—E. I. Hazard.

From the towns of Geneva, Hudson and Bloomfield, in the county of Walworth,—S. D. Hastings.

From the towns of Darien, Sharon, Walworth and Lynn, in the county of Walworth,—G. H. Lown.

From the towns of Delavan, Sugar Creek, LaFayette and Elkhorn, in the county of Walworth,—M. Kelsey.

From the towns of Menominee, Lisbon and Brookfield, in the county of Waukesha,—W. H. Thomas.

From the towns of Warren, Oconomewoc, Summit and Ottowa, in the county of Waukesha,—D. H. Rockwell.

From the towns of Delafield, Genessee and Pewaukee, in the county of Waukesha,—Albert Alden.

From the towns of Waukesha and New Berlin, in the county of Waukesha,—John H. Wells.

From the towns of Eagle, Mukwonego, Vernon and Muskego, in the county of Waukesha,—Thomas Sugden.

From the towns of Port Washington, Fredonia and Clarence, in the county of Washington,—Solon Johnson.

From the towns of Grafton and Jackson, in the county of Washington,—James Fagan.

From the towns of Mequon and Germantown, in the county of Washington,—Peter Turck.

From the towns of Polk, Richfield and Erin, in the county of Washington,—Patrick Toland.

From the towns of Hartford, Addison, West Bend and North Bend, in the county of Washington,—Chauncey M. Phelps.

The chief clerk having announced a majority of all the members elected in attendance,

On motion of Mr. Brown,

Timothy Burns, of Iowa county, was appointed speaker pro tem.

On motion of Mr. Kerr,

Daniel Noble Johnson was appointed chief clerk pro tem.

On motion of Mr. Parkinson,

Felix McLinden was appointed Sergeant-at-arms pro tem.

On motion of Mr. Kerr,

The rules of order adopted by the last assembly, were adopted for the government of this assembly, until others are prepared and adopted.

Mr. Kelsey introduced the following resolution, which was adopted, to wit:

Resolved, That the chief clerk be directed to inform the honerable senate that the assembly have organized temporarily, and are now ready to proceed to business.

Mr. Daugherty introduced the following resolution, which was adopted to wit:

Resolved, (the senate concurring,) That the joint standing rules of the last session of the legislature, be adopted for the government of the senate and assembly at the present session, until others are prepared and adopted.

Mr. Kelsey introduced the following resolution, which was adopted to wit:

Resolved, That a committee of two be appointed on the part of the assembly, to act in conjunction with a similar committee on the part of the senate. to wait upon His Excellency the Governor, and inform him that the two houses are now organized temporarily, and are ready to receive any communication which he may have to make to them.

The speaker appointed Messrs. Kelsey and Parkinson, as such committee.

A message from the senate, by their chief clerk:

"MR. SPEAKER: I am directed to inform you that the senate have organized, and are now ready to proceed to business.

Messrs. Cothren and Chase have been appointed a committee on the part of the senate to act in conjunction with a similar committee on the part of the assembly, to wait upon His Excellency the Governor, and inform him that the senate and assembly are now organized, and are ready to receive any communication he may have to make to them.

The senate have concurred in the following resolution:

Resolved, That the joint standing rules of the last session of the legislature be adopted for the government of the senate and assembly at the present session, until others are prepared and adopted."

Mr. Kelsey, from the joint committee appointed to wait upon His Excellency the Governor, and inform him of the organization of the senate and assembly, and of their readiness to receive any communication which he might have to make to them, reported—

That the committee had performed the duty assigned them, and were informed by His Excellency, that he would meet the senate and assembly, to-morrow at 12 o'clock, M., and communicate his message.

The report was accepted and the committee discharged.

On motion of Mr. Clark,

The assembly adjourned until to-morrow at 9 o'clock, A. M.

THURSDAY, January 11, 1849.

On motion of Mr. Barber,

The reading of the journal of yesterday was dispensed with.

Charles Keuhn, member elect from the county of Manitouwoc, appeared, and after having been duly qualified took his seat as a member of the assembly.

Mr. Roys introduced the following resolution, which was adopted, to wit:

Resolved, That the assembly now proceed to elect by a viva voce vote, a speaker, chief clerk, and sergeant-at-arms, as permanent officers of this assembly.

The assembly then proceeded to the election of a speaker.

And the roll having been called,

Those who voted for Harrison C. Hobart, were

Messrs. Alden, Barber, Brown, Burns, Colwell, Cotton, Clark, Cross, Delaney, Fagan, Flynn, Gillilan, W. H. Johnson, Solon Johnson, Juneau, Keuhn, Kimball, King, Leland, Noble, Nute, O'Neal, Phelps, Pierce, Rickerson, Roys, Thomas, Toland, Warren, Wasson and Wells—31.

Those who voted for Marshall M. Strong, were

Messrs. Ayre, Colley, Daugherty, Hastings, Lown, Martin, Pratt, Reymert, Thorp and Willard—10.

Those who voted for Jarvis K. Pike, were

Messrs. Bird, Briggs, Chase, Crandall, Crawford, Dick, Hazard, Kerr, Page, Pope, Sugden, Townsend, White and Young—14.

Mr. Hobart voted for Hiram Barber.

Mr. Pike voted for Ira W. Bird.

Mr. Strong voted for Stoddard H. Martin.

Whole number of votes cast, fifty-eight.

Harrison C. Hobart received		31
Jarvis K. Pike,	"	14
Marshall M. Strong,	"	10
Scattering,		3

Harrison C. Hobart having received a majority of all the votes cast for the office of speaker, was thereupon declared duly elected to such office.

Mr. Strong moved that a committee of two be appointed to wait upon the speaker elect and conduct him to his seat;

Which was agreed to.

The chair appointed Messrs. Strong and Barber as such committee.

The speaker elect, having taken the chair, returned his thanks to the assembly for the honor conferred upon him.

The assembly then proceeded to an election for chief clerk,

And the roll having been called,

Those who voted for Robert L. Ream, were

Messrs. Alden, Barber, Brown, Burns, Cotton, Clark, Cross, Delaney, Gillilan, Hill, W. H. Johnson, Solon Johnson, Juneau, Keuhn, Kimball, King, Leland, Noble, Nute, O'Neal, Parkinson, Phelps, Pierce, Rickerson, Rockwell, Roys, Thomas, Wasson, Wells and Hobart, (speaker)—30.

Those who voted for Daniel Noble Johnson, were

Messrs. Ayre, Colwell, Colley, Crandall, Crawford, Daugherty, Dick, Fagan, Flynn, Hastings, Kelsey, Kerr, Lown, Martin, Page, Pope, Pratt, Reymert, Strong, Thorp, Toland, Warren and Willard—23.

Those who voted for William Welch, were

Messrs. Bird, Briggs, Chase, Hazard, Pike, Sugden, Townsend, White and Young—9.

Whole number of votes cast, sixty-two.

Robert L. Ream, received		30
D. Noble Johnson,	"	23
William Welch,	"	9

No person having received a majority of all the votes cast for the office of clerk, the assembly proceeded to a second ballot;

And the roll having been called,

Those who voted for Robert L. Ream, were

Messrs. Alden, Barber, Brown, Burns, Cotton, Clark, Cross, Delaney, Fagan, Flynn, Gillilan, Hill, W. H. Johnson, Solon Johnson, Juneau, Keuhn, Kimball, King, Leland, Noble, Nute, O'Neal, Parkinson, Phelps, Pierce, Rickerson, Rockwell, Roys, Thomas, Toland, Warren, Wasson, Wells, and Hobart, (speaker)—34.

Those who voted for Daniel Noble Johnson, were

Messrs. Ayre, Bird, Chase, Colwell, Colley, Crandall, Crawford, Daugherty, Dick, Hastings, Kelsey, Kerr, Lown, Martin, Page, Pike, Pope, Pratt, Reymert, Strong, Sugden, Thorp Townsend, White, Willard and Young—26.

Those who voted for William Welch, were

Messrs. Briggs and Hazard—2.

Whole number of votes cast, sixty-four.

Robert L. Ream, received		34
D. Noble Johnson,	"	26
William Welch,	"	2

Robert L. Ream having received a majority of all the votes cast for such office, was declared duly elected chief clerk of the assembly.

The assembly then proceeded to the election of a sergeant at-arms;

And the roll having been called,

Those who voted for Felix McLinden, were

Messrs. Alden, Barber, Brown, Burns, Cotton, Clark, Cross, Delaney, Fagan, Gillilan, Hill, W. H. Johnson, Solon Johnson, Juneau, Keuhn, Kimball, King, Leland, Noble, Nute, O'Neal, Parkinson, Phelps, Pierce, Rickerson, Rockwell, Roys, Thomas, Toland, Vineyard, Warren, Wasson, Wells and Hobart, (speaker)—34.

Those who voted for George E. Graves, were

Messrs. Bird, Briggs, Chase, Crandall, Crawford, Dick, Flynn, Hazard, Kerr, Martin, Page, Pike, Pope, Strong, Sugden, Townsend, White and Young—18.

Those who voted for Patrick Kelley, were

Messrs. Ayre, Colwell, Reymert and Thorp—4.

Those who voted for Edward H. Brainard, were

Messrs. Daugherty, Hastings, Kelsey, Lown and Pratt—5.

Mr. Colley voted for A. H. Stone.

Mr. Willard voted for S. B. Sibley.

Whole number of votes cast, sixty-three.

Felix Mc Linden,	received	34
George E. Graves,	"	18
Edward H. Brainard,	"	5
Patrick Kelley,	"	4
A. H. Stone,	"	1
S. H. Sibley,	"	1

Felix Mc Linden, having received a majority of all the votes cast for that office, was declared duly elected sergeant-at-arms of the assembly.

Mr. Hastings introduced the following resolution ; which was adopted, to wit:

Resolved, That the use of this hall be granted to the state convention of the Free Soil party, this day to assemble in this village, when not occupied by this assembly.

James R. Vineyard, member elect, from the precincts of Platteville, Head of Platte, Centreville, Muscoday and Fenhimore, in the county of Grant, appeared, and after having been duly qualified took his seat as a member of the assembly.

Mr. Barber introduced the following resolution, which was read, to wit:

Resolved, That William Hull, of Grant county, be appointed an assistant clerk to the assembly.

And the question having been put upon the passage of the same,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Alden, Barber, Brown, Burns, Cotton, Clark, Cross, Delaney, Fagan, Flynn, Gillilan, Hill, W. H. Johnson, Solon Johnson, Juneau, Keuhn, Kimball, King, Leland, Nute, O'Neal, Parkinson, Phelps, Pierce, Rickerson, Rockwell, Roys, Thomas, Toland, Vineyard, Wasson, Wells and Hobart, (speaker)—33.

Those who voted in the negative, were

Messrs. Ayre, Bird, Briggs, Chase, Colwell, Colley, Crandall, Crawford, Daugherty, Dick, Hastings, Hazard, Kelsey, Kerr, Lown, Martin, Noble, Page, Pike, Pope, Pratt, Reymert, Strong, Sugden, Thorp, Townsend, Warren, White, Willard and Young—30.

Mr. Bird introduced the following resolution, to wit:

Resolved, That the Rev. Mr. Penman be appointed chaplain of the assembly during the present session.

And the question on the adoption of the same, having been put,

It was decided in the negative.

Mr. Delaney introduced the following resolution, to wit:

Resolved, That Samuel Noyes, of Dodge county, be appointed as fireman to the assembly.

Mr. Clark moved to amend said resolution by striking out all after the word "Resolved," and inserting in lieu thereof, as follows:

"That the seargeant-at-arms be directed to employ Samuel Noyes, of Dodge county, as fireman of this house."

And the question being on the adoption of the amendment,

Mr. Burns demanded the previous question;

And the question being,

"Shall the main question be now put?"

It was decided in the affirmative.

The main question, being on the adoption of the amendment

Having been put,

It was decided in the negative.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Alden, Barber, Brown, Burns, Clark, Cross, Delaney, Fagan, Flynn, Gillilan, Hill, W. H. Johnson, Solon Johnson, Juneau, Keuhn, Kimball, King, Leland, Nute, O'Neal, Parkinson, Phelps, Rickerson, Rockwell, Roys, Thomas, Toland, Vineyard, Wason, Wells and Hobart, (speaker)—31.

Those who voted in the negative, were

Messrs. Ayre, Bird, Briggs, Chase, Colwell, Colley, Cotton, Crandall, Crawford, Daugherty, Dick, Hastings, Hazard, Kelsey, Kerr, Lown, Martin, Noble, Page, Pierce, Pike, Pope, Pratt, Reymert, Strong, Sugden, Thorp, Townsend, Warren, White, Willard and Young—32.

A message from the governor by G. P. Delaplaine, Esq., his private secretary:

To the Senate and Assembly:

"EXECUTIVE DEPARTMENT,
Madison, January 11, 1849.

Owing to indisposition I shall be unable to deliver my annual message to the legislature in person, as I informed your committee on yesterday, I shall therefore transmit it to each house in writing at twelve of the clock, meridian, this day.

NELSON DEWEY."

Mr. Pierce moved that the vote just taken, by which the resolution relative to the appointment of fireman was rejected, be re-considered;

Which was agreed to.

Mr Burns moved a call of the assembly; which was ordered.

And the roll having been called,

Messrs. Delaney and Reymert were reported as absent.

Mr. Barber moved that further proceedings under the call be dispensed with;

Which was agreed to.

And the question being on the adoption of said resolution,

Mr. Strong moved further to amend the same by striking out all after the word "Resolved," and inserting in lieu thereof, as follows:

"That it shall be the duty of the sergeant-at-arms to take care of the assembly room—see that it is kept warm, clean and in order. also that he shall procure the attendance of absent members when a call of the House is made—to procure some one to attend the door of the house, and to abide all orders of the house."

And the question having been put on the adoption of the amendment,

It was decided in the negative.

The question then recurred on the adoption of the reselution,

And having been put,

It was decided in the affirmative.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Alden, Barber, Brown, Burns, Cotton, Clark, Cross, Delaney, Fagan, Flynn, Gillilan, Hill, W. H. Johnson, Solon Johnson, Juneau, Keuhn, Kimball, King, Leland, Nute, O'Neal, Parkinson, Phelps, Pierce, Rickerson, Rockwell, Roys, Thomas, Toland, Vineyard, Wason, Wells and Hobart, (speaker)—34.

Those who voted in the negative, were

Messrs. Ayre, Bird, Briggs, Chase, Colwell, Colley, Crandall, Crawford, Daugherty, Dick, Hastings, Hazard, Kelsey, Kerr, Lown, Martin, Noble, Page, Pike, Pope, Pratt, Reymert, Strong, Sugden, Thorp, Townsend, Warren, White, Willard and Young—30.

The annual message of the governor, with accompanying documents, was presented by G. P. Delaplaine, Esq., his private secretary.

(SEE APPENDIX.)

Mr. Hastings introduced the following resolution; which was adopted, to wit:

Resolved, That a committee of three be appointed to report rules for the permanent government of the assembly.

Mr. Burns, introduced the following resolution, to wit:

Resolved, That 2500 copies of the message and accompanying documents be printed in the English language, and 500 copies in the German, and 250 in the Norwegian language.

Mr. Chase moved to amend the resolution, by striking out the words "500," and inserting in lieu thereof "1000;"

Which was agreed to.

Mr. Kerr moved to amend said resolution, by adding the words "500 copies in the Welch language;"

Which was accepted by the mover as a modification of the resolution.

Mr. Hastings moved further to amend said resolution, by striking out the words "250," and inserting in lieu thereof the words "500."

Mr. Roys moved to amend the amendment, by striking out "500," and inserting "800;"

Which motion was accepted by the mover.

The amendment as modified was then agreed to.

Mr. Delaney moved further to amend the said resolution, by adding "500 copies in the French language;"

Which was disagreed to.

Mr. Delaney then moved to amend the resolution, by adding "100 copies in the French language;"

Which was agreed to.

The question then recurred on the adoption of the resolution as amended.

And having been put,

It was decided in the affirmative.

On motion of Mr. Barber,

The assembly adjourned.

FRIDAY, January 12, 1849.

The journal of yesterday was read and corrected.

A message from the senate, by their chief clerk.

"Mr. Speaker: I am directed to inform you that the senate have passed the following resolution in which the concurrence of the assembly is requested, to wit:

No. 1, (S.) 'Resolution in relation to the vote on the county seat of Washington county.'"

Mr. Barber introduced the following resolution, to wit:

Resolved, That Marshal Ten Eyck, of Waukesha county, be appointed messenger to the assembly;

And the question being on the adoption of the same,

Mr. Burns moved a call of the assembly,

Which was ordered.

And the roll having been called,

All the members were reported present.

The question was then put on the adoption of the resolution,

And decided in the affirmative.

Mr. Hastings introduced the following resolution, to wit:

Resolved, That the speaker be requested to invite the Rev. Mr. Lord of this village, to act as chaplain of this body during the present session.

Mr. Thomas moved to amend said resolution, by substituting the following therefor, to wit:

Resolved, That the clergy of the different denominations in the village of Madison, be invited to officiate alternately as chaplain to this house during the present session.

And the question being on the adoption of the resolution as amended,

Having been put,

It was decided in the affirmative.

Mr. Barber introduced the following resolution which was adopted, to wit:

Resolved, That Charles White of Brown county, be appointed door keeper to the assembly.

Mr. Toland introduced the following resolution, to wit:

Resolved, That the chief clerk be instructed to furnish each member of the assembly with a copy of the constitution of the state.

Mr. Barber moved to amend the resolution by substituting therefor, as follows:

Resolved, That five hundred copies of the constitution be printed for the use of the members;

Which was agreed to.

Mr. Kerr moved that said resolution be laid upon the table;

Which was agreed to.

Mr. Clark introduced the following resolution, to wit:

Resolved, That each member of the assembly be furnished with newspapers (published in this state,) per week, during the session of the legislature.

Mr. Thomas moved to amend the said resolution, by striking out all after the word resolved, and inserting the following:

"That each member of this house be authorized to order for his own use during the present session, any number of newspapers, not exceeding thirty per week, and that the same be audited and settled as other incidental expenses."

Mr. Vineyard moved to amend the amendment, by striking out the word "thirty," and inserting in lieu thereof the word "sixty;"

Which was disagreed to.

Mr. Bowron moved to amend the amendment, by striking out the word "thirty," and inserting in lieu thereof the word "forty;"

Which was disagreed to.

Mr. Vineyard moved further to amend the amendment to the amendment, by striking out the word "thirty," and inserting in lieu thereof the words "fifty-five."

And the question having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Alden, Bowron, Briggs, Chase, Cotton, Clark, Cross, Delany, Dick, Flynn, Solon Johnson, Juneau, Keuhn, Leland, Sugden, Thomas, Townsend, Vineyard, Wells and Young,—20,

Those who voted in the negative, were

Messrs. Ayre, Barber, Bird, Brown, Burns, Colwell, Colley, Crandall, Crawford, Daugherty, Fagan, Gillilan, Hastings, Hazard, Hill, W. H. Johnson, Kelsey, Kerr, Kimball, King, Lown. Martin, Noble, Nute, O'Neal, Page, Parkinson, Phelps, Pierce, Pike, Pope, Pratt, Reymert, Rickerson, Rockwell, Roys, Strong, Thorp, Toland, Turck, Warren, Wason, White, Willard and Hobart, (speaker)—44:

And the question being on the amendment of Mr. Thomas,

Having been put,

It was decided in the affirmative.

Joseph Bowron member elected from the counties of St. Croix and La Pointe, appeared, and after having been duly qualified took his seat as member of the assembly.

The question then recurred on the adoption of the resolution as amended,

And having been put, (three-fifths of the assembly being present,)

It was decided in the affirmative.

Those who voted in the affirmative, were

Messrs. Alden, Ayres, Barber, Bird, Bowron, Briggs, Brown, Chase, Colwell, Colley, Cotton, Clark, Crandall, Crawford, Cross, Daugherty, Delaney, Dick, Fagan, Flynn, Gillilan, Hastings, Hazard, Hill, W. H. Johnson, Solon Johnson, Juneau, Kelsey, Keuhn, Kimball, King, Leland, Lown, Martin, Noble, Nute, O'Neal, Page, Phelps, Pike, Pope, Pratt, Reymert, Rickerson, Rockwell, Roys, Strong, Sugden, Thomas, Toland, Townsend Turck, Vineyard, Warren, Wason, Wells, White, Willard Young and Hobart, (speaker)—60.

Those who voted in the negative, were

Messrs. Burns, Kerr, Parkinson, Pierce and Thorp,—5.

Mr. Jedediah Brown introduced the following resolution, to wit:

Resolved, That the chief clerk be directed to furnish the post master at Madison with a list of the names of the members of this assembly, and that their postage during the present session be charged as incidental expenses of this legislature.

Resolved, That no such postage shall be charged on mail matter transmitted from this place unless the name of the member so transmitting shall be placed upon the same.

And the question on the adoption of the same,

Having been put, (three fifths of the assembly being present,) It was decided in the affirmative.

Those who voted in the affirmative, were

Messrs. Alden, Ayres, Barber, Bird, Bowron, Briggs, Brown, Colwell, Cotton, Clark, Crandall, Crawford, Cross, Delany, Dick, Fagan, Flynn, Gillilan, Hill, W. H. Johnson, Solon Johnson, Juneau, Keuhn, Kimball, King, Leland, Noble, Nute, O'Neil, Phelps, Rickerson, Rockwell, Roys, Sugden, Thomas, Toland, Townsend, Turck, Vineyard, Warren, Wason, Wells, and Young,—43.

Those who voted in the negative, were

Messrs. Burns, Chase, Colley, Daugherty, Hastings, Hazard, Kelsey, Kerr, Lown, Martin, Page, Parkinson, Pierce, Pike, Pope, Pratt, Reymert, Strong, Thorp, White, Willard, and Young,—22.

Mr. Cross introduced the following resolution, to wit:

Resolved, That whenever it becomes necessary to employ an enrolling clerk for this assembly, the chief clerk be authorized and directed to employ the services of A. V. Fryer, of Milwaukee county for that purpose.

Mr. Burns moved to amend the said resolution by striking out all after the word "resolved," and insert as follows:

"That the chief clerk be directed to employ such necessary assistance as may be required to perform the necessary writing for the assembly during its present session;"

Which was agreed to.

And the resolution as amended was adopted.

The speaker announced the names of Messrs. Hastings, Burns, and Cross as the committee under the resolution introduced by Mr. Hastings on yesterday, relative to the rules of the assembly.

Mr. Roys moved to reconsider the vote by which the resolution to print the Governor's message and accompanying documents was passed on yesterday;

Which was agreed to.

Mr. Kelsey moved to amend the original resolution by striking out the words 100 copies in the French language.

Mr. Roys moved to lay said resolution on the table;

Which was agreed to.

Mr. Roys introduced the following resolution, to wit:

Resolved, That 2500 copies of the Governor's message and accompanying documents be printed for the use of the members of this assembly.

Mr. Barber moved to amend by inserting "and 1000 copies in the German language;"

Which was disagreed to.

Mr. Bird moved to amend by inserting "and 500 copies in the Norwegian language;"

Which was disagreed to.

A vote was then taken on the adoption of the resolution,

And was decided in the affirmative.

On motion of Mr. Kelsey,

The assembly adjourned.

SATURDAY, January 13, 1849.

Prayer by the Rev. Mr. Read.

The journal of yesterday was read.

The speaker announced the following standing committees for the present session of the assembly, to wit:

STANDING COMMITTEES OF THE ASSEMBLY.

1. *On the Judiciary*—Messrs. Strong, Delaney, Cross, Kelsey and Brown.

2. *On Ways and Means*--Messrs. Cross, Parkinson, Daugherty, Pike and Barber.

3. *On Education and School Lands*—Messrs. Burns, Rickerson, Bowron, Hastings and Thorp.

4. *On Corporations*—Messrs. W. H. Johnson, Gillilan, Toland, Martin and Kerr.

5. *On Claims*—Messrs. Brown, Wells, Bird, Juneau and Noble.

6. *On Internal Improvements*—Messrs. Meade, White, Clark, Leland and Burns.

7. *On Roads, Bridges and Ferries*—Messrs. Clark, Solon Johnson, Pierce, Bird and Delany.

8. *On Town and County Organization*—Messrs. Roys, Thomas, Nute, Dick and Briggs.

9. *On the Militia*—Messrs. Wasson, Pope, Alden, Young and Toland.

10. *On Privileges and Elections*—Messrs. Parkinson, Clarke, Nute, Vineyard and White.

11. *On Agriculture and Manufactures*—Messrs. Turck, Solon Johnson, Kimball, Hazard and Flynn.

12. *On the expiration and re-enactment of Laws*—Messrs. Noble, Meade, Strong, Rickerson and Sugden.

13. *On Public Printing and Stationery*—Messrs. Delaney, Reymert, Toland, Pratt and Thomas.

14. *On Contingent Expenses*—Messrs. Rockwell, Cotton, Willard, Pierce and Warren.

15. *On Engrossed Bills*—Messrs. Daugherty, Crandall, Phelps, O'Neil and Hastings.

16. *On State Lands*—Messrs. Bowron, Chase, Dick, Kuehn and Sugden.

17. *On University and University Lands*—Messrs. Townsend, Reymert, Barber, Crawford, Rickerson and Ayre.

18. *On Mining and Smelting*—Messrs. Vineyard, Hill, Gillilan, Fagan and Young.

19. *On Charitable and Religious Societies*—Messrs. Colley, Turck, Warren, Martin and Lown.

20. *On States Prison*—Messrs. Barber, Colley, Colwell, Alden and Hill.

21. *On Medical Societies and Medical Colleges*—Messrs. Crawford, Chase, Kelsy, Lown and Wasson.

JOINT COMMITTEES OF THE ASSEMBLY.

On State Affairs—Messrs. Phelps, Willard, Briggs, W. H. Johnson and King.

On Legislative Expenses—Messrs. Wells, Roys, Kelsey, Pratt and Kimball.

On Enrolled Bills—Messrs. Kerr, Leland, Pike, Page and Kuehn.

Mr. Hastings presented the petition of W. H. H. Bailey and seventy-five others of the town of Janesville, asking an alteration of the license laws;

Which was referred to the committee on town and county organization.

Mr. Burns presented the account of Mathew Woods, sheriff of Grant county, for boarding state prisoner.

Mr. Burns moved that the same be laid on the table;

Which was agreed to.

Mr. Clark presented the petition of D. Jones and others, of Brown county, to declare the Oconto river a navigable stream;

Which was referred to the committee on roads, bridges and and ferries.

Mr. Chase introduced the following resolution, to wit:

Resolved, That whereas the State printer has refused to print 1000 copies of the governor's message in the German language, that Moritz Shœffler, of Milwaukee, be employed to print that number in the German language for the use of this assembly.

Mr. Reymert moved to amend the said resolution by substituting therefor as follows:

Resolved, That the committee on printing be directed to procure the translation and printing of 1000 copies of the governor's message and accompanying documents in the German language, 100 copies in the French language, and 800 in the Norwegian language.

Mr. Clark moved to amend the amendment

By striking out the words "100 copies in the French language."

Which was agreed to.

Mr. Barber moved to amend the amendment

By striking out all after the word "resolved," and inserting the following:

"That 1000 copies of the governor's message be printed in the German language and 500 in the Norwegian;

Which was agreed to.

Mr. Kerr moved to amend by adding "five hundred in the Welsh language;"

Which was disagreed to.

And the question being on the adoption of the amendment to the original resolution,

Having been put,

It was decided in the affirmative.

The question then recurred on the adoption of the resolution as amended,

And having been put,

It was decided in the affirmative.

On motion of Mr. Leland,

The resolution in regard to printing copies of the constitution of the state for the use of the assembly,

Was taken up.

Mr. Leland moved to amend the same by substituting therefor the following:

Resolved, That 1000 copies of the constitution be printed for the use of the members of this assembly;

Which was disagreed to.

Mr. Strong moved to amend the resolution by inserting after the word "resolved," the words "if the senate concur," and strike out the word "assembly," and insert "legislature," insert after the word "constitution," "of this state," and also of the act of congress preliminary to the admission of Wisconsin as a state, and the act admitting Wisconsin as a state;

Which was agreed to.

Mr. Kerr moved further to amend the said resolution by inserting "and that the sergeant-at-arms be directed to place in the library 100 copies for the use of the next legislature;

Which was agreed to.

Mr. Delaney moved to amend by adding the words "and that each member at the close of the present session place the said copy of the constitution in the state library, and that the same be there kept to be used by members of future legislatures, and returned to said library by all;

Which was disagreed to.

And the question being on the adoption of the amendment by Mr. Strong to the orginal resolution,

And having been put,

It was decided in the affirmative.

The question then recurred on the adoption of the resolution as amended,

And was decided in the affirmative.

The speaker laid before the assembly the following communication, which was read by the clerk, to wit:

"MADISON, January 12, 1849.

To the Hon. H. C. Hobart, Speaker of the Assembly:

We have the honor herewith to transmit to you a portion of our report as commissioners appointed pursuant to an act of legislature in July last, to revise the laws of the state. You will please lay the report before the legislature for its consideration at your earliest convenience.

Respectfully yours,
M. FRANK,
C. M. BAKER,
C. S. JORDAN."

On motion of Mr. Burns,

The reading was dispensed with.

Mr. Barber moved that said report be laid on the table;

Which was agreed to.

Mr. Barber introduced the following resolution, which was adopted, to wit:

Resolved, by the Senate and Assembly, That the report of the Commissioners appointed to revise the laws of the State, be referred to a joint select committee of the two houses, consisting of six from the assembly and three from the senate, and that said committee report to either house, from time to time as they shall see fit.

Mr. Barber introduced the following resolution, to wit:

Resolved, That, (if the Senate concur,) a joint committee consisting of two members of the senate and three members of the assembly, be appointed, which shall constitute a committee on printing, who shall have power to examine the bids on file in the office of the Secretary of State, and to investigate matters generally with reference to the printing, and to perform all other duties required by an act entitled "an act relative to printing," approved August 19, 1848, which are to be performed by a joint committee.

And the question being on the adoption of said resolution,

Having been put,

It was decided in the affirmative.

Mr. Colwell introduced the following resolution, which was adopted, to wit:

Resolved, That Elder Read of this place be invited to hold divine worship in this room to-morrow morning, at half past ten o'clock.

Mr. Kelsey, by leave, presented the petition of William Duane Wilson, general agent for the Magnetic telegraph line, between Milwaukee and Madison;

Which was referred to the committee on legislative expenditures.

Mr. Burns, introduced the following resolution, which was adopted, to wit:

Resolved, That the Editors of the different newspapers within this state, who may desire to report the proceedings of this house for their respective papers, be permitted to take seats within the bar of the house.

On motion of Mr. Clark,

The assembly adjourned.

MONDAY, January 15, 1849.

Prayer by the Rev. Mr. Lord.

The journal of yesterday was read.

Petitions were presented, and referred as follows, to wit:

By Mr. Bowron:

The petition of Moses Perrin and 22 others, for ferries across the St. Croix and Mississippi rivers;

Referred to the committee on roads, bridges and ferries.

By Mr. Strong:

The petition of Elisha Raymond and 23 others, citizens of the town of Raymond, praying that a pre-emption may be granted to James L. Gray on certain school lands;

Referred to the committee on education and school lands.

By Mr. Kelsey:

The petition of Henry L. K. Jones and 4 others, praying that section 25, town 3 north, range 15 east, may be annexed to and made part of the town of Elkhorn;

Referred to the committee on town and county organization.

By Mr. Parkinson:

The petition of John Loafborough and 24 others of La Fayette county, praying for a school district;

Referred to a select committee composed of the entire delegation from Iowa and La Fayette counties.

Mr. Barber introduced the following resolution, which was adopted, to wit:

Resolved, That the sheriffs of the several counties of this state, are requested to furnish to this house a list of prisoners confined in their county prisons on conviction, the offence for which they were convicted, the date of their conviction, and the period for which they were sentenced to imprisonment.

Resolved, That the clerk of the assembly be directed to forward the above resolution to the sheriffs of the several counties of this state, by mail, and that he request them to return their answer to the speaker of this house, in the same way at their earliest convenience.

A message from the senate by their chief clerk:

"Mr. Speaker: I am directed to inform you that the senate have adopted the following resolution, in which the concurrence of the assembly is requested.

Resolved, (by the senate and assembly,) That the two houses will meet in convention at 11 1-2 o'clock, A. M. this day, in the assembly chamber, to proceed to the election of a senator in congress of the United States."

Mr. Cross introduced the following resolution, to wit:

Resolved, (the senate concurring,) That the secretary of state be directed to examine the public seals, provided for the several counties of this state, which have been or may hereafter be delivered to him, in pursuance of a joint resolution relative to seals, approved August 12th 1848. And if said seals be approved, the secretary of state be instructed to deliver the same to the officers properly entitled to the custody of them.

Which, on motion of Mr. Cross, was laid upon the table.

Mr. Wells introduced the following resolution, to wit:

Whereas we deem it the duty of congress as soon as may be, to organize the territories of New Mexico and California,

Therefore resolved, That our senators in congress be instructed, and our representatives are hereby requested to vote for the incorporation of the "Wilmot Proviso" in such organic acts. That as the existence of slavery in the district of Columbia is a reproach to our republican form of government, if they act in accordance with the wishes of the people of Wisconsin, they will by their votes aid in the passage of a law for the repeal of all laws sustaining slavery in the District of Columbia, and under no circumstances whatever so far as their votes may bear upon the subject, should there be added to this Union any more slave states or any states that can ever become slave states.

Which was, on Mr. Wells' motion, laid upon the table.

Notices for leave to introduce bills were given as follows, to wit:

By Mr. Barber:

For a bill to vacate the town plot of the town of Victory in the county of Dodge.

By Mr. White:

For a bill to authorize the Presbyterian church in the village of Platteville, Grant county, to change its name and form of government.

By Mr. Bowron:

For a bill to authorize the laying out of a state road from Prairie du Chien, in Crawford county, to the Falls of St. Croix in St. Croix county, and the appointment of commissioners to lay out the same.

By Mr. Cross:

For a bill providing for the custody of persons committed to jail under the authority of the United States.

Mr. Hastings, from the select committee to whom the subject was referred, submitted the following report, which was accepted, to wit:

The committee appointed to prepare permanent rules for the government of the assembly would beg leave to present the annexed code of rules as their report.

They would recommend the adoption of the joint rules and orders of the last legislature, without alteration or amendment, for the government of the present session.

Respectfully submitted on behalf of the select committee on rules.

S. D. HASTINGS, Chairman.

January 13, 1849.

Mr. Cross moved that the reading of the code of rules be dispensed with;

Which was disagreed to.

Mr. Barber moved that the reading be dispensed with, and that the same be laid upon the table,

Mr. Strong called for a division of the question.

The speaker decided the question to be divisible.

And the question being first on dispensing with the reading of the report,

And having been put,

It was decided in the negative.

The question was then put on laying the report upon the table;

And decided in the negative.

A message from the senate, by their chief clerk.

"Mr. Speaker: I am directed to inform you the senate have passed

'Joint resolution relative to the appointment of a joint select committee on printing,'

Without an amendment.

And have appointed Messrs. Sholes and Merrill as the committee on the part of the senate, under said resolution.

'Joint resolution relative to referring report of revising commissioners to a joint select committee,'

Without amendment,

And have appointed Messrs. Williams, Chase and Botkin as the committee on the part of the senate under said resolution.

And have non-concurred in

'Joint resolution relative to printing constitution.'"

Mr. Strong moved that the assembly adjourn.

And pending the question,

Mr. Thomas moved a call of the assembly,

Which was ordered.

And the roll having been called,

Messrs. Bird, Solon Johnson, Roys and Vineyard were reported as absent.

The sergeant-at-arms was sent for the absentees.

The sergeant-at-arms having reported

Messrs. Solon Johnson, Roys and Vineyard in attendance,

On motion of Mr. Strong,

Mr. Bird was excused from his attendance.

And the question on adjourning having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Ayres, Briggs, Chase, Colwell, Colley, Crandall, Crawford, Daugherty, Dick, Hastings, Hazard, Juneau, Kelsey, Kerr, Lown, Martin, Meade, O'Neal, Page, Pike, Pope, Pratt, Reymert, Strong, Thorp, Townsend, Warren, Wells, White, Willard and Young,—31.

Those who voted in the negative, were

Messrs. Alden, Barber, Bowron, Brown, Burns, Cotton, Clark, Cross, Delaney, Fagan, Flynn, Gillilan, Hill, W. H. Johnson, Solon Johnson, Keuhn, Kimball, King, Leland, Noble, Nute, Parkinson, Phelps, Pierce, Rickerson, Rockwell, Roys, Sugden, Thomas, Toland, Turck, Vineyard, Wason, and Hobart, (speaker)—34.

The messages from the senate were taken up,

And the question being on concurring in the passage of

No. 1, (S.) "Joint Resolution in relation to the vote on the county seat of Washington county;"

Mr. Solon Johnson moved that the same be laid upon the table;

Which was disagreed to.

The question was then put on the passage of the resolution,

And decided in the affirmative.

And the question being on concurring in the adoption of the resolution relative to the election of United States senator,

Mr. Rickerson demanded the previous question.

And the question being, shall the previous question be sustained,

Having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Alden, Ayres, Barber, Bird, Bowron, Briggs, Brown, Burns, Colley, Cotton, Cross, Daugherty, Delaney, Dick, Fagan, Flynn, Gillilan, Hastings, Hazard, Hill, W. H. Johnson, Solon Johnson, Keuhn, Kimball, King, Leland, Martin, Meade, Noble, Nute, O'Neal, Parkinson, Phelps, Pierce, Pike, Pratt, Reymert, Rickerson, Rockwell, Roys, Strong, Sugden, Thomas, Thorp, Toland, Townsend, Turck, Vineyard, Warren, Wason, White, Willard, Young and Hobart, (speaker)—54.

Those who voted in the negative, were

Messrs. Chase, Colwell, Clark, Crandall. Crawford, Juneau, Kelsey, Kerr, Lown, Page, Pope, and Wells,—12.

And the question being, shall the main question be now put,

Having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Alden, Barber, Bowron, Brown, Burns, Cotton, Cross, Fagan, Flynn, Gillilan, Hill, W. H. Johnson, Solon Johnson, Keuhn, Kimball, King, Leland, Noble, Nute, Parkinson, Phelps, Pierce, Rickerson, Rockwell, Roys, Sugden, Thomas, Toland, Turck, Wason, and Hobart, (speaker)—31.

Those who voted in the negative, were

Messrs. Ayres, Bird, Briggs, Chase, Colwell, Colley, Crandall, Clark, Crawford, Daugherty, Delaney, Dick, Hastings, Hazard, Juneau, Kelsey, Kerr, Lown, Martin, Meade, O'Neal, Page, Pike. Pope, Pratt, Reymert, Strong, Thorp, Townsend, Vineyard, Warren, Wells, White, Willard and Young—35.

On motion of Mr. Strong,

The assembly adjourned.

TUESDAY, January 16, 1849.

Prayer by the Rev. Mr. Penman.

The journal of yesterday was read.

Petitions were presented and referred as follows, to wit:

By Mr. King:

The petition of Michael McCue and 59 others, inhabitants of the town of Shields, praying the passage of a law declaring certain roads in said town lawful highways;

Referred to the committee on roads, bridges, and ferries.

By Mr. Colley:

The petition of Archibald Hefflefinger for the alteration of his name;

Referred to a select committee consisting of Messrs. Colley, Reymert, and Pike.

By Mr. Reymert:

The petition of Niles Cornelius Culbrandson, to have his name changed to Nils Cornelius Brunson;

Referred to the same committee.

By Mr. Thomas:

The petition of F. Bell and 54 others, for a reduction of miller's tolls;

Referred to the committee on agriculture.

By Mr. Colwell:

The petition of Ann Quarles and 51 others, inhabitants of Southport, Racine, county, praying this legislature to enact laws to annex a penalty to the crimes of adultery and seduction;

Referred to the committee on the judiciary.

By Mr. Pierce:

The account of A. W. Parris for furnishing plats for commissioners to locate the state lands;

Referred to the committee on claims.

Mr. Barber introduced the following resolution, to wit:

Resolved, (the senate concurring,) That the assembly will meet the senate in joint convention, in the assembly chamber, this day at twelve o'clock meridian for the purpose of electing a senator of the United States, from and after the fourth day of March next.

Mr. Strong moved to amend the said resolution by striking out all after the word resolved, and inserting the following, to wit:

That, when the legislature shall have met for the purpose of choosing a United States Senator, the election shall be made by ballot.

Mr. Juneau moved a call of the assembly,

Which was ordered.

And the roll having been called,

Messrs. Hastings and Meade were reported as absent.

The seargeant-at-arms having reported the absentees present,

The question being on the adoption of the amendment to the resolution,

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Ayers, Bird, Briggs, Brown, Chase, Colwell, Colley, Clark, Cotton, Crandall, Dick, Hazard, Solon Johnson, Juneau, Kelsey, Kerr, Lown, Martin, Meade, Noble, Page, Pike, Pope. Pratt, Reymert, Roys, Strong, Thorp, Townsend, Turck, Warren, Wells, White, Willard and Young.—35.

Those who voted in the negative were

Messrs. Alden, Barber, Bowron, Burns, Cotton, Crawford, Cross, Daugherty, Delany, Fagan, Flynn, Gillilan, Hastings, Hill, W. H. Johnson, Keuhn, Kimball, King, Leland, Nute, O'Niel, Parkinson, Phelps, Pierce, Rickerson, Rockwell, Sugden, Thomas, Toland, Vineyard, Wasson, and Hobart (Speaker.)—32.

Mr. Strong moved to amend the resolution, by inserting after the word "resolved," "the senate concurring;"

Which was agreed to.

Mr. Strong moved further to amend the same by adding the words, "and said election shall take place on next at twelve o'clock, meridian;"

Which was agreed to.

Mr. Wells moved that the vote just taken be reconsidered;

And the question having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Alden, Barber, Bowron, Burns, Cotton, Cross, Delaney, Fagan, Flynn, Gillilan, Hastings, Hill, W. H. Johnson, Keuhn, Kimball, King, Leland, Nute, O'Niel, Parkinson, Phelps, Pierce, Rickerson, Sugden, Thomas, Toland, Vineyard, Wasson, Wells, and Hobart, (Speaker,)—30.

Those who voted in the negative were

Messrs. Ayers, Bird, Briggs, Brown, Chase, Colwell, Colley, Clark, Crandall, Crawford, Daugherty, Dick, Hazard, Juneau. Kelsey, Kerr, Lown, Martin, Meade, Noble, Page, Pike, Pope, Pratt, Reymert, Rockwell, Roys, Strong, Thorp, Townsend, Warren, White, Willard and Young.—34.

Mr. Strong moved that the blank in said resolution be filled with the word "Monday."

Mr Daugherty moved that the said blank be filled with the word "Wednesday."

Mr. Kelsey moved that the said blank be filled with the word "Friday."

Mr. Kerr moved that the blank be filled with the word "Thursday."

The question being first on filling the blank with the word "Monday,"

And having been put,

It was decided in the negative.

And the question being on filling the blank with the word "Friday,"

Having been put,

It was decided in the negative.

And the question being on filling the blank with the word "Thursday,"

Having been put,

It was decided in the negative.

The question then being on filling the blank with the word "Wednesday,"

Having been put,

It was decided in the affirmative.

The question then recurred on the adoption of the resolution as amended,

And having been put,

It was decided in the affirmative.

The ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Ayres, Bird, Briggs, Brown, Chase, Colwell, Colley, Clark, Crandall, Daugherty, Dick, Hastings, Hazard, Solon Johnson, Juneau, Kelsey, Kerr, Lown, Martin, Meade, Noble, Page, Pike, Pope, Pratt, Reymert, Roys, Strong, Sugden, Thorp, Townsend, Turck, Warren, White, Willard and Young—36.

Those who voted in the negative, were

Messrs. Alden, Barber, Bowron, Burns, Cotton, Crawford, Cross, Delaney, Fagan, Flynn, Gillilan, Hill, W. H. Johnson, Keuhn, Kimball, King, Leland, Nute, O'Neal, Parkinson, Phelps, Pierce, Rickerson, Rockwell, Thomas, Toland, Vineyard, Wasson, Wells, and Hobart, (speaker)—30.

Message from the Senate by their chief clerk:

"Mr. Speaker:—I am directed to inform you that the senate has passed the following resolution, in which the concurrence of the assembly is requested.

Resolved, By the senate, the assembly concurring, That on this day at 2 o'clock, P. M., the senate and assembly will meet in joint convention, in the assembly hall, and proceed to the election of a United States senator."

On motion of Mr. Hastings,

The assembly adjourned until half past 2 o'clock, P. M.

HALF PAST TWO O'CLOCK, P. M.

The speaker announced the appointment of Messrs. Barber, Hastings, Cross, Strong, Brown and Burns, as a joint select committee on the report of the commissioners to revise the laws.

And also the appointment of Messrs. Delaney, Vineyard and Kelsey as a committee on printing.

The speaker laid before the assembly a communication from the governor, which was read as follows, to wit:

"EXECUTIVE DEPARTMENT,
Madison, January 15, 1849.

To the Senate and Assembly:

Herewith I transmit for the action of the legislature, a communication of John McReynolds, superintendent of United States light houses, &c., asking the cession by this state to the United States "of jurisdiction over so much land as may be necessary for the construction and maintenance of a light house to be erected at each of the following points in this state, viz: Port Washington and Port du Mort."

A copy of an act passed by the legislature of Michigan making cessions of a similar character, accompanying the letter of Mr. McReynolds.

No well founded objection exists to the passage of a similar act by this state ceding the jurisdiction asked.

I therefore recommend the passage of a law for this purpose.

NELSON DEWEY."

Which, on motion of Mr. Barber,

Was referred to the committee on the judiciary.

The messages of the senate were taken up.

And the question being on concurring in the adoption of the "Joint resolution relative to the election of United States senator," (adopted on the 15th.)

Mr. Burns moved that the same be laid upon the table;

Which was agreed to.

And the question being on concurring in the adoption of the "Joint resolution relative to the election of United States senator," (adopted this day.)

Mr. Burns moved that the same be laid upon the table;

Which was agreed to.

On motion of Mr. Strong,

The assembly resolved itself into a committee of the whole for the consideration of the report of the committee on standing rules for this assembly,

Mr. Barber in the chair.

And after some time spent therein the committee rose and by their chairman reported the said rules back to the assembly with sundry amendments.

The amendments of the committee of the whole to said report were concurred in.

Mr. Hastings introduced the following resolution, which was adopted, to wit:

Resolved, (if the senate concur,) That the joint rules and orders for the government of the senate and assembly adopted by the last legislature, be adopted as the permanent rules and orders for the government of the present session.''

A message from the senate:

"Mr. Speaker:—I am directed to inform you that the senate has concurred in the joint resolution in relation to choosing a United States senator with the following amendment:

Strike out all after the word resolved, and insert as follows, to wit:

'That the two houses of the legislature will meet in joint convention in the assembly chamber on Wednesday, the 17th inst., at 12 o'clock, meridian, for the purpose of choosing a senator in the place of Isaac P. Walker, whose term will expire on the third day of March next.'

In which the concurrence of the assembly is requested."

Mr. Hastings introduced the following resolution, to wit:

Resolved, That 300 copies of the rules of the assembly, and the joint rules and orders of the senate and assembly, in connection with the names of the standing and joint committees of both bodies, and the names and residence of the members, be printed for the use of the assembly, and that the remaining copies over and above what are required for this purpose be deposited in the library for the use of the next session of the legislature.

Which, on motion of Mr. Hastings,

Was laid on the table.

Mr. Hastings introduced the following resolution, to wit:

Resolved, That so much of the governor's message as refers to the subject of corporations be referred to the committee on incorporations;

That so much as relates to internal improvements be referred to the committee on internal improvements;

That so much as relates to probate courts be referred to the committee on judiciary;

That so much as relates to roads be referred to the committee on roads, bridges and ferries;

That so much as relates to docket fees be referred to the committee on finance;

That so much as relates to state prisons be referred to the committee on state prisons;

That so much as relates to the canal lands be referred to the committee on state affairs;

That so much as relates to a revision of the militia laws be referred to the committee on militia;

That so much as relates to the judiciary be referred to the committee on the judiciary;

That so much as refers to the subject of book-keeping be referred to the committee on education and school lands;

That so much as relates to the alteration of laws, in capital offences, be referred to the committee on expiration and re-enactment of laws;

That so much as relates to school and university lands be referred to the committee on education and school lands;

That so much as relates to the publication of the laws be referred to the committee on state affairs;

That so much as relates to evidences of state debt and direct taxation be referred to the committee on finance;

That so much as relates to homestead exemption be referred to the committee on agriculture and manufactures;

That so much as relates to the capital, public grounds, and public property be referred to the committee on state affairs;

That so much as relates to a geological survey of the state be referred to the committee on state affairs;

That so much as relates to the law exempting personal property be referred to the committee on the expiration and re-enactment laws;

That so much as relates to the system of common schools, and of fines and forfeitures, escheats to the school fund, be referred to the committee on education and school lands;

That so much as relates to the patents for canal lands be referred to the committee on the judiciary:

That so much as relates to the Fox river improvements, and a grant of lands therefor, be referred to the committee on internal improvements;

That so much relates to the subject of international exchanges be referred to the committee on agriculture and manufactures;

That so much as relates to the national domain be referred to the committee on state lands;

That so much as relates to the superintendent of public instruction be referred to the committee on education and school lands;

That so much as relates to the sale of school lands be referred to the committee on education and school lands;

That so much as refers to the extension of the institution of slavery be referred to a select committee of three on the subject of slavery and the slave trade;

Which, on motion of Mr. Cross,

Was laid upon the table.

Mr. Hastings introduced the following resolution, viz:

Resolved, That the chief clerk be authorized to procure of the librarian, sixty-seven copies of the debates of the last convention, for the use of the members of the assembly;

Which, on motion of Mr. Hastings,

Was laid upon the table.

Mr. Hastings, by leave, presented the petition of I. Codding and others, praying for certain action, touching the extension of slavery, and the existence of slavery and the slave trade in the District of Columbia, and elsewhere, &c., &c., and praying that they may be heard in defence of the objects of their petition;

Which, on motion of Mr. Hastings.

Was referred to a select committee, consisting of Messrs. Hastings, Clark and Turck.

The message from the senate was taken up.

And the question being on concurring in the amendment of the senate to the resolution of the assembly, passed this day, in relation to the election of a United States senator,

Having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Alden, Barber, Bowron, Burns, Chase, Cotton, Cross, Delaney, Daugherty, Fagan, Flynn, Gillilan, Hastings, Hill, W. H. Johnson, Keuhn, Kimball, King, Leland, Noble, Nute, O'. Neal, Parkinson, Phelps, Pierce, Rickerson, Rockwell, Thomas, Toland, Vineyard, Wasson, Wells and Hobart, (speaker) —33.

Those who voted in the negative, were

Messrs. Ayres, Bird, Briggs, Brown, Colwell, Colley, Clark, Crandall, Crawford, Dick, Hazard, Solon Johnson, Juneau, Kelsey, Kerr, Lown, Martin, Meade, Page, Pike, Pope, Pratt, Reymert, Roys, Strong, Sugden, Thorp, Townsend, Turck, Warren, White, Willard and Young,—33.

On motion of Mr. Barber,

The assembly adjourned.

WEDNESDAY, January 17, 1849.

Prayer by the Rev. Mr. Read.

The journal of yesterday was read.

Petitions were presented and referred as follows, to wit:

By Mr. Juneau:

The petition of the inhabitants of town 13, range 17, praying the legislature to be set off and organized into a township;

Referred to the committee on town and county organization.

By Mr. Leland:

The petition of R. H. Davis and 67 others, for a state road from Helena, in the county of Iowa, to Adams, the county seat of Sauk county;

Referred to the committee on town and county organization.

By Mr. Wells,

The petition of Charles K. Daken and others, in relation to extending the time of collecting the taxes of Waukesha county;

Referred to the committee on the judiciary.

By Mr. Willard:

The petition of the board of supervisors of Rock county, praying that further proceeding of the commissioners appointed to appraise and survey the school and university lands, in said county, be dispensed with;

Referred to the committee on education and school lands.

By Mr. Cross:

The petition and account of Ransom Rice, jailer of the county of Milwaukee, against the state, for keeping state prisoners;

Referred to the committee on claims.

By Mr. Crandall:

The petition of the citizens of Lima and Johnstown, praying for an act to enable joint school district No. 10, in the town of Lima and Johnstown to receive their quota of the public school money;

Referred to the committee on education and school lands.

By Mr. Solon Johnson:

The petition of Oscar Day to build a dam across the Milwaukee river;

Referred to the committee on roads, bridges and ferries.

By Mr. Clark:

The petition of William Dickinson and 64 others, for the passage of a law requiring the Fox river hydraulic company to build and maintain a lock in the dam across Fox river at Depere;

Referred to the committee on internal improvements.

Notice for leave to introduce bills to-morrow or some future day, were given as follows, to wit:

By Mr. Leland:

For a bill to establish a state road leading from the town of Adams, the county seat of Sauk county, to some point on section 36, town 15 north, range 4 west, intersecting a state road leading from Prairie du Chien to the Falls of St. Croix, and a county road leading to Prairie La Crosse. on the Mississippi river.

By Mr. Thomas:

For a bill to authorize James Weaver to build and maintain a dam on section 22, in the town of Lisbon, Waukesha county.

By Mr. Delaney:

For a bill for an act to prevent the obstruction of the Wisconsin river and its tributaries, and for other purposes.

By Mr. Wells:

For a bill extending the time for collecting the taxes of the town of Waukesha.

By Mr. Martin:

For a bill to repeal an act entitled "an act to establish a municipal court of the city of Milwaukee, approved August 8, 1848, also an act supplementary to said act, approved August 21, 1848.

By Mr. Reymert:

For a bill to incorporate the "Evangelic Lutheran Society of Norway, Racine county."

Mr. Hastings introduced the following resolutions, to wit:

Resolved, by the senate and assembly of the State of Wisconsin, That chattel slavery as it exists in the United States is contrary to natural justice, a libel upon our free institutions, and is destructive of the best interest of the whole people; therefore its extension should be prohibited by every constitutional means within the power of congress; and all national laws which establish, maintain, or in any way countenance or sanction its existence as a national institution, should be immediately repealed.

Resolved, That our senators in congress be and they are hereby instructed, and our representatives are requested

FIRST,—To oppose the passage of any act for the government of New Mexico and California, or any other territory now belonging to the United States or which may hereafter be acquired, unless it shall contain a provision prohibiting the introduction and existence of slavery or involuntary servitude into said territories, except as a punishment for crime of which the party shall have been duly convicted according to law.

SECOND,—To oppose the admission of any new state into the Union without a provision in its constitution expressly prohibiting the existence of chattel slavery within its limits.

THIRD,—To exert their influence to procure the repeal of all laws sustaining slavery and the slave trade in the District of Columbia, or in any other place under the control of the national government, and to secure the passage of laws prohibiting slavery and the slave trade in all places under the exclusive jurisdiction of the federal government.

FOURTH,—To oppose all legislation on the part of congress which favors the interests of slavery and slave labor, at the expense of freedom and free labor, and to exert their influence to procure such legislation as will be equal and just in its operation upon all sections of the Union.

Resolved, That his excellency the governor, is hereby requested, immediately to forward a copy of the foregoing resolutions to each of our senators and representatives in congress to be by them laid before congress.

Which on motion of Mr. Hastings,

Was laid upon the table.

Mr. Hastings introduced the following resolution, which was adopted, to wit:

Resolved, That the foregoing resolutions as well as all papers now in the possession of the house, touching the subjects of slavery and the slave trade, including so much of the governor's message as relates to the extension of the institution of slavery, be referred to the select committee to whom was referred the petition of I. Codding and others.

Mr. Strong introduced the following resolution, which was adopted, to wit:

Resolved, (the senate concurring,) That the two houses of the legislature meet in convention at half past eleven o'clock A. M., this day for the purpose of electing a United States senator, whose term of office shall commence on the fourth day of March next.

Mr. Barber introduced the following resolution, which was adopted, to wit:

Resolved, That the sergeant-at-arms be directed to procure a wood-box to be placed near the stove in the east end of this hall, of a sufficient size to hold wood enough for the use of that stove during the morning session of the house.

Resolved, That the messenger, fireman and door-keeper appointed for the assembly, are directed to perform their several duties about the house, under the direction of the sergeant-at-arms, and it is made his duty to assign to each their respective duties about the house, and for any omission on their part to perform the duties so assigned them, he report them to the assembly.

Mr. Cross introduced the following resolution, to wit:

Resolved, (the senate concurring,) That the secretary of state be requested to report through the president of the senate, to both branches of the legislature now in session, the amount of revenue due and unpaid, from each and every county of the state.

And the question on the adoption of the same,

Having been put,

It was decided in the affirmative.

Mr. Burns moved that the account of M. Woods, sheriff of Grant county, for board &c. of a state prisoner,

Be taken up;

Which was agreed to.

And the said account was,

On motion of Mr. Burns,

Referred to the committee on claims.

Mr. Chase, by leave, introduced

No. 1, (A.) A bill to establish the Kilbourn road district;

Which was read the first and second times,

And referred to the committee of the whole.

Mr. White, by leave, introduced

No. 2, (A.) A bill to authorize the Presbyterian church in Platteville, Grant county, to change its name and form of govment;

Which was read the first and second times,

And referred to the committee on charitable and religious institutions.

Mr. Parkinson, from the select committee, composed of the members from the counties of La Fayette and Iowa, to whom was referred the petition of John Loafborough and others, reported the following bill, to wit:

No. 3, (A.) A bill to organize a school district therein named;

Which was read the first and second times.

On motion of Mr. Hastings,

The resolution by him introduced on yesterday, apportioning and referring the governor's message to the several standing committees,

Was taken up.

And on motion of Mr. Strong,

The assembly resolved itself into a committee of the whole, for the consideration of said resolution;

Mr. Daugherty in the chair.

And after some time spent therein the committee rose, and by their chairman reported the said resolutions back to the assembly with sundry amendments.

The amendments of the committee of the whole, which were

1st. Amend the said resolution by striking out in the following sentence "That so much as relates to docket fees be referred to the committee on finance" the word "finance," and inserting in lieu thereof the word "judiciary."

2nd. Amend the same by striking out in the following sentence, "That so much as relates to the alteration of the laws in capital offences be referred to the committee on expiration and re-enactment of laws" the words, "expiration and re-enactment of laws," and insert in lieu thereof the words "joint select committee on the report of the commissioners to revise the laws."

3d. Amend the same by striking out in the sentence "That so much as relates to evidences of state debt and direct taxation be referred to committee on finance," the word "finance," and insert in lieu thereof the word "judiciary."

4th. Amend the same by striking out in the sentence "That so much as relates to homestead exemption be referred to the committee on agriculture and manufactures," the words "the committee on agriculture and manufactures," and insert in lieu thereof the words "a select committee of five."

5th. Amend the same by striking out in the sentence "That so much as relates to the law exempting personal property, be referred to the committee on the expiration and re-enactment of laws," all after the word "referred," and insert, "to the select committee of five to whom the subject of the homestead exemption was referred."

6th. Amend the same by striking out in the sentence the word, "That so much as relates to the subject of international exchanges be referred to the committee on agriculture and manufactures," all after the word "referred," and insert in lieu thereof the words, "to a select committee of five."

7th. Amend the same by striking out the last sentence which reads as follows: "That so much as refers to the extension of the institution of slavery, be referred to a select committee of three on the subject of slavery and the slave trade."

Were then concurred in.

A message from the senate by their chief clerk.

"Mr. Speaker: I am directed to inform you that the senate has passed bill

No. 1, (S.) A bill relating to interest.

Also, that the senate have concurred in the following resolutions of the assembly.

Resolved, (the senate concur,) That the joint rules and order for the government of the senate and assembly adopted by the last legislature, be adopted as the permanent rules and orders for the government of the present session.

Resolved, (the senate concurring,) That the two houses of the legislature meet in convention, in the assembly hall this day at 11 1-2 o'clock, A. M., for the purpose of electing a United States senator, whose term of office shall commence on the 4th day of March next."

Mr. Barber introduced the following resolution, which was adopted, to wit:

Resolved, That the honorable, the senate, be informed that the assembly are now ready to meet them in joint convention, for the election of a United States senator, in the assembly chamber.

In accordance with the above resolution, after seats having been prepared, the honorable senate appeared and took their seats in the assembly hall.

IN CONVENTION OF THE TWO HOUSES.

JANUARY 17, 1849, 11 1-2 o'clock A. M.

Mr. Dennis moved that the two houses now proceed *viva voce* to the election of a United States senator;

Which was agreed to.

And the roll of the senate having been called,

Mr. Botkin voted for William S. Hamilton,
Mr. Boyd voted for Isaac P. Walker,
Mr. Chase voted for Byron Kilbourn,
Mr. Cothren voted for Isaac P. Walker,
Mr. Dennis voted for Isaac P. Waker,
Mr. Fisher voted for Isaac P. Walker,
Mr. Gardner voted for Isaac P. Walker,
Mr. Goodell voted for Isaac P. Walker,
Mr. Horn voted for Isaac P. Walker,
Mr. Kinney voted for Isaac P. Walker,
Mr. Lakin voted for Alexander Botkin,
Mr. Merrill voted for Alexander Botkin,
Mr. Murphy voted for Isaac P. Walker,
Mr. Norton voted for Alexander Botkin,
Mr. Sholes voted for Byron Kilbourn,
Mr. Smith voted for Isaac P. Walker,
Mr. Sprague voted for Isaac P. Walker,
Mr. Willard voted for Byron Kilbourn,
Mr. Williams voted for Isaac P. Walker,

And the roll of the house having been called,

Mr. Alden voted for Isaac P. Walker,
Mr. Ayers voted for Byron Kilbourn.
Mr. Barber voted for Isaac P. Walker,
Mr. Bird voted for Alexander Botkin,
Mr. Bowron voted for Isaac P. Walker,
Mr. Briggs voted for Alexander Botkin,
Mr. Brown voted for Isaac P. Walker,
Mr. Burns voted for Isaac P. Walker,
Mr. Chase voted for Alexander Botkin,
Mr. Colwell voted for Byron Kilbourn,
Mr. Colley voted for Byron Kilbourn,
Mr. Cotton voted for Isaac P. Walker,
Mr. Clark voted for Isaac P. Walker,
Mr. Crandall voted for Alexander Botkin,
Mr. Crawford voted for Alexander Botkin,
Mr. Cross voted for Isaac P. Walker,
Mr. Daugherty voted for Byron Kilbourn,
Mr. Delaney voted for Isaac P. Walker,
Mr Dick voted for Alexander Botkin,
Mr. Fagan voted for Isaac P. Walker,
Mr. Flynn voted for Isaac P. Walker,
Mr. Gillilan voted for Isaac P. Walker,
Mr. Hastings voted for Byron Kilbourn,
Mr. Hazard voted for Alexander Botkin,
Mr. Hill voted for Isaac P. Walker,
Mr. W. H. Johnson voted for Isaac P. Walker,
Mr. Solon Johnson voted for James D. Doty,
Mr. Juneau voted for Morgan L. Martin,
Mr. Kelsey voted for Byron Kilbourn,
Mr. Kerr voted for Alexander Botkin,
Mr. Kuehn voted for Isaac P. Walker,
Mr. Kimball voted for Isaac P. Walker,
Mr. King voted for Isaac P. Walker,
Mr. Leland voted for Isaac P. Walker,
Mr. Lown voted for Byron Kilbourn,
Mr. Martin voted for Byron Kilbourn,
Mr. Meade voted for Morgan L. Martin,
Mr. Noble voted for Isaac P. Walker,
Mr. Nute voted for Isaac P. Walker,
Mr. O'Neal voted for Isaac P. Walker,

Mr. Page voted for Alexander Botkin,
Mr. Parkinson voted for Isaac P. Walker,
Mr. Phelps voted for Isaac P. Walker,
Mr. Pierce voted for Isaac P. Walker,
Mr. Pike voted for Alexander Botkin,
Mr. Pope voted for Alexander Botkin,
Mr. Pratt voted for Byron Kilbourn,
Mr. Reymert voted for Byron Kilbourn,
Mr. Rickerson voted for Isaac P. Walker,
Mr. Rockwell voted for Isaac P. Walker,
Mr. Roys voted for Isaac P. Walker,
Mr. Strong voted for Byron Kilbourn,
Mr. Sugden voted for Alexander Botkin,
Mr. Thomas voted for Isaac P. Walker,
Mr. Thorp voted for Byron Kilbourn,
Mr. Toland voted for Isaac P. Walker,
Mr. Townsend voted for Alexander Botkin,
Mr. Turck voted for Isaac P. Walker,
Mr. Vineyard voted for Isaac P. Walker,
Mr. Warren voted for Byron Kilbourn,
Mr. Wasson voted for Isaac P. Walker,
Mr. Wells voted for Byron Kilbourn,
Mr. White voted for Alexander Botkin,
Mr. Williams voted for Byron Kilbourn,
Mr. Young voted for Alexander Botkin,
Mr. Hobart, speaker, voted for Isaac P. Walker.

The whole number of votes cast was eighty-five, of which

Isaac P. Walker	received	45
Byron Kilbourn,	"	18
Alexander Botkin,	"	18
Morgan L. Martin,	"	2
James Duane Doty,	"	1
Wm. S. Hamilton,	"	1

Isaac P. Walker having received a majority of all the votes cast for that office, was declared duly elected senator of the United States.

Mr. Horn moved that the convention dissolve;

Which was agreed to.

Mr. Hastings moved that the assembly adjourn until half past 2 o'clock, P. M.;

Which was disagreed to.

On motion of Mr. Thomas,

The assembly adjourned.

THURSDAY, January 18th, 1849.

Prayer by the Rev. Mr. Penman.

The reading of the journal of yesterday was dispensed with.

Petitions were introduced and referred as follows to wit:

By Mr. Thomas:

The petition of E. S. Comstock and 136 others, for reduction of millers' tolls.

Referred to the committee on agriculture and manufactures.

By Mr. Noble ;

The petition of H. W. Bruce and 80 others, of the county of Fond du Lac, praying that town 13, range no. 17, may be organized into a separate town;

Referred to the committee on town and county organization.

By Mr. Pope:

The petition of the board of supervisors of the county of Rock, to vacate certain lands in the village of Janesville, therein named;

Referred to a select committee, consisting of Messrs. Pope, Pike and Colley,

By Mr. Briggs:

The petition of Lewis Rood and two others, county commissioners of Grant county, asking an alteration in the law relating to town organization ;

Referred to the committee on town and county organization.

By Mr. Delaney :

The petition and account of Jonathan Wyatt, clerk of district court of Portage county;

Which was referred to the committee on claims.

The speaker annouced the appointment of Messrs. Dauhgerty, Brown, Hastings, Sugden, and Burns as the select committee to whom that part of the governor's message relating to the homestead exemption was referred.

Mr. Chase introduced the following resolution, which was adopted, to wit:

Resolved, That C. S. Chase, Esq., be allowed the use of the assembly chamber on Friday and Saturday evenings next, for the purpose of lecturing on Pathetism and phrenology.

Mr. Barber introduced the following resolution, which was adopted, to wit:

Resolved, That between the hours of 8 o'clock, A. M. and 9 P. M., each day during the session of the legislature, when this house is not in session, the seargent-at arms be directed not to permit any individual or number of individuals, to organize any meeting in this hall or otherwise to occupy the same so as to interfere with its use by the individual members or committees of this body, unless such persons shall have obtained leave so to occupy it by a vote of the assembly.

Mr. Delaney introduced the following resolution to wit:

That the Rev. Mr. Bennett be invited to assist the clergy of Madison, in officiating as chaplain to this house during the present session.

Mr. Cross moved to amend by striking out the words "Rev. Mr. Bennett," and insert a general invitation "to all the clergy in the state."

Which amendment was accepted by the mover.

Mr. Brown moved to lay the resolution on the table:

Which was agreed to.

Mr. Barber introduced the following resolution, which was adopted to wit:

Resolved, That the report of the revisers, laid upon the table, be taken up, and referred to the joint select committee on that subject.

Mr. Hastings introduced the following resolution, to wit:

Resolved, That Mr. Barber and Mr. Wells be added to the select committee to whom was referred the petition of I. Codding and others touching the subject of slavery, and the slave trade.

Mr. Roys moved that said resolution be indefinitely postponed;

Which was agreed to.

Mr. White introduced the following resolution, to wit:

Resolved, (the senate concurring,) That the state printer be, and hereby is directed to print for the use of this legislature, 200 copies of the journal of each house, instead of the number now printed.

And the question on its adoption

Having been put,

It was decided in the negative:

And on motion of Mr. Strong,

The ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Alden, Barber, Brown, Chase, Cotton, Clark, Cross, Daugherty, Delaney, Dick, Fagan, Flynn, Gillilan, Hastings, W. H. Johnson, Juneau, Keuhn, Kimball, Martin, Pierce, Rockwell, Toland, Townsend, Turck, White, and Hobart, (speaker)—26.

Those who voted in the negative, were

Messrs. Ayres, Bird, Bowron, Briggs, Burns, Colwell, Colley, Crawford, Hazard, Hill, Kelsey, Kerr, King, Leland, Lown, Noble, Nute, O'Neal, Parkinson, Phelps, Pike, Pope, Pratt, Reymert, Rickerson, Roys, Strong, Sugden, Thomas, Thorp, Warren, Wason, Wells, Willard and Young—35.

A message from the senate, by their chief clerk.

Mr. Speaker: I am directed to inform you that the senate has concurred in the following joint resolution, to wit:

Resolved, (the senate concurring.) That the secretary of state be requested to report through the president of the senate to both branches of the legislature, now in session, the amount of revenue due and unpaid, for each and every county within the state.

On motion of Mr. Barber,

The resolution introduced by Mr. Hastings providing for printing the rules of this house, and laid upon the table, was taken up.

And the question being on its adoption,

Having been put,

It was decided in the affirmative.

Mr. Bowron gave notice that on to-morrow, or some future day, he would ask leave to introduce

A memorial to congress for a mail route from the falls of St. Croix to La Pointe, on Lake Superior.

Mr. Bowron, (by leave,) introduced

No. 4, (A,) A bill to establish a state road through part of St. Croix county, the county of Chippewa, and part of the county of Crawford;

Which was read first and second times.

Mr. Cross (by leave) introduced

No. 5, (A,) A bill to provide for the custody of persons committed under the authority of the United States;

Which was read first and second times.

Mr. Strong, from the judiciary committee reported,

No. 6, (A,) A bill to extend the time of collecting and returning taxes in the town of Waukesha;

Which was read first and second times.

Mr. Kelsey moved that all rules be suspended and that said bill be read the third time now.

Which was agreed to.

The said bill was then read the third time, passed, and the title thereof agreed to.

A message from the governor, by Geo. P. Delaplaine, Esq, his private secretary:

"Executive Department,
MADISON, January 11, 1849.

To the senate and assembly:

No provision being made by law for the payment of the services rendered by the electors of this state for president and and vice president of the United States, in casting the vote of this state for these officers, I herewith transmit for your action the account of such electors, certified by them for performing this service on the 6th December last, which account I believe to be correct.

I recommend that an appropriation be made to them for the same.

NELSON DEWEY.

The account accompanying said message was,

On motion of Mr. Barber,

Referred to the committee on claims.

The message of the senate of yesterday was taken up and

No. 2, (S.,) A bill relating to interest

Was read the first and second times.

On motion of Mr. Roys,

The assembly resolved itself into committee of the whole for the consideration of the general file of bills,

Mr. Roys in the chair.

After some time spent therein the committee rose, and by their chairman reported back to the assembly

No. 1. (A.,) A bill to establish the Kilbourn road district,

With amendments.

No. 3 (A.) A bill to organize a school district therein named,

Without amendments.

The amendments of the committee of the whole to said bill, No. 1 (A.) were concurred in.

And the question being on ordering said bill to be engrossed and read the third time,

Mr. Chase moved to refer the same to a select committee composed of the members from Milwaukee county;

Which was agreed to.

And the question being on ordering said bill, No. 3 (A) to be engrossed and read a third time,

Mr. Kelsey moved to refer the same to the committee on education and school lands,

Which was agreed to.

The speaker laid before the assembly the following communication from the sheriff of Dane county, to wit:

"Sheriff's office,
Dane county, Jan, 18, 1849.

To the Hon. speaker of the assembly:

In reply to a resolution of the assembly, passed on the 15th day of January inst., requesting the sheriffs of their respective counties, to transmit to the speaker of the assembly a list of convicts confined in their respeetive prisons, &c.,

I have the satisfaction to say that there are none confined, or under sentence, at present, in the common prison of Dane county.

Very respectfully your obedient servant,

P. W. MATTS, Sheriff D. C. W.

Which on motion of Mr. Barber,

Was referred to the committee on state prison.

On motion of Mr. Kelsey,

The assembly adjourned until half-past two o'clock, P, M.

HALF PAST TWO O'CLOCK, P. M.

Mr. Roys introduced the following resolution, which was adopted to wit:

Resolved, That the use of this hall be granted to the sovereign people this evening.

Mr. Hastings introduced the following resolution, which was adopted, to wit:

Resolved, That there be added to the standing committees of the assembly, a joint committee on the state library.

The speaker announced the appointment of Messrs. Hastings, Juneau, Dick, S. Johnson and Fagan, as the committee under said resolution.

Mr. Thomas, by leave, introduced,

No. 7 (A.) A bill to authorize the construction of a dam across Weaver's Creek in Waukesha county;

Which was read first and second times,

And on motion of Mr. Thomas,

Laid upon the table.

Mr. Roys presented the account of H. A. Tenney for printing at the session of the territorial legislature, A. D. 1848;

Which was referred to the committee on claims.

Mr. Thomas, by leave, introduced

No. 2 (A.) A memorial to congress on the subject of a mail route from Waukesha to Port Washington;

Which was read first and second times.

Mr. Leland by leave, introduced

No. 3 (A) A memorial to congress for a mail route from Prairie La Cross to Prairie du Sac;

Which was read first and second times.

Mr. Martin, by leave, introduced

The account of R. B. Rice of Milwaukee county;

Which was referred to the committee on claims.

Mr. Colley, by leave, introduced

The account of John Hackett and William Rood.

Which were referred to the committee on claims.

Mr. Colley, from the select committee to whom the subject was referred, reported

No. 8 (A.) A bill to change the name of Archibald Hefflefinger to Archibald Coe, and also to change the name of his three minor children, George, John and Emeline Hefflefinger to George, John and Emeline Coe;

Which was read first and second times.

Mr. Reymert by leave, reported

No. 9 (A.) A bill to change the name of Nils Cornelius Guldbransen to Nils Cornelius Bronson;

Which was read the first and second times.

On motion of Mr. Daugherty,

The assembly adjourned.

FRIDAY, January 19, 1849.

Prayer by the Rev. Mr. Read.

The journal of yesterday was read.

Mr. Bird presented the communication of C. B. Chapman in relation to memoralizing congress to grant Rock Island for the erection of a Marine Hospital;

Which on motion of Mr. Bird,

Was laid upon the table.

Mr. Bird presented the account and accompanying vouchers of Daniel Noble Johnson;

Which was referred to the committee on claims.

Petitions were presented and referred as follows, to wit:

By Mr. Noble:

The petition of R. F. Adams, and 30 others, praying that all the roads found on record be made legal;

Referred to the committee on roads, bridges and ferries.

By Mr. Noble:

The petition of sundry inhabitants of the county of Calumet, praying for a town organization;

Referred to the committee on town and county organization.

By Mr. Dick:

The petition of 48 inhabitants of Calumet county for a state road from said county to Sheboygan Falls, in the county o Sheboygan;

And the petition of 30 inhabitants of the town of Kaukalau for a state road from said town to Sheboygan Falls, in Sheboygan county.

By Mr. Brown:

The petition of Elisha Morrow and 38 others, asking for a state road;

Which were severally referred to the committee on roads, bridges and ferries.

By Mr. Burns:

The account of Samuel S. Kaibler, jailer of Iowa county, for keeping prisoners;

The account of Levi Sterling, sheriff of Iowa county, for keeping prisoners;

And the account of Jackson Richardson;

Which were severally referred to the committee on claims.

By Mr. Thomas:

The petition of Levi Russell and 85 others, for reduction of millers tolls;

Referred to the committee on agriculture and manufactures.

By Mr. Wells:

The petition of Vernon Tichenor and others, praying for an amendment of the license law;

Referred to the committee on the judiciary.

Mr. Bowron, by leave, introduced

No. 1, (A.) Memorial to congress on the subject of a mail route from the Falls of St. Croix to La Pointe on Lake Superior;

Which was read the first and second times.

Mr. Kerr introduced the following resolution, which was adopted, to wit:

Resolved, That the secretary of state be requested to lay before the assembly the estimated expenses of the state for the year ending January 1st, 1850.

Mr. Warren introduced the following resolution, which was adopted, to wit:

Resolved, That the use of this hall be granted to Elder Read, to hold divine service on sabbath next, at the usual hours.

Notices to introduce bills on to-morrow or some future day, were given,

By Mr. Rockwell:

For a bill to vacate the present plot of the village of Oconomowoc.

By Mr. Cross:

For a bill to amend an act entitled "an act concerning the action of ejectment." Also,

A bill to amend an act entitled, "an act to prescribe the mode of proceeding in chancery."

Mr. Roys, from the committee on town and county organization, reported

No. 10, (A.) A bill amendatory to an act for the division of the several counties under the county system of government into towns;" And

No. 11, (A.) A bill to organize the several towns therein named;

Which were severally read first and second times.

Mr. Wells, from the committee to whom was referred the petition of William Duane Wilson, submitted a report, which was read as follows, to wit:

The committee to whom was referred the petition of Wm. Duane Wilson in regard to extending legislative encouragement to the magnetic telegraph, which is proposed to connect the Lake with the Mississippi, have had the matter under consideration, and beg leave to

REPORT:

It is scarcely necessary, we presume, for your committee to enter into details in regard to the great benefits which our common country and we as a state are receiving or may expect to receive from the establishment of lines of telegraph which communicate intelligence between points distant thousands of miles almost with the rapidity of thought. It is not now an experiment—business of every character is entrusted to its agency, and thousands of dollars are daily saved by this annihilation of space. So extensive are its ramifications that every important city and town in the United States are securing to themselves the advantage to be derived from them. The liberalities of our citizens on the enterpise of the patentees have brought it even to the doors of our capitol. Wonderful indeed has been its progress, as well as its inception! It being, however, one of those enterprizes whose progress has outstripped the information necessary to form a just conception of its great convenience and usefulness. Our people have not extended to it that encouragement which the enterprise deserves.

In the failure of this, and in view of the advantage which the state government derives, or may hereafter derive, to say nothing of that pride which the state should ever have in the encouragement of such a magnificent enterprise. Your committee is prompted to view the application with favor, we would be glad that our finances were in such a condition as to appropriate two or three thousand dollars to encourage the work.—Feeling assured that our constituents would ratify if not sanction the act—but much, very much, to our regret, is not the case; we must confine our expenses to the actual wants of the state and of this body.

It is strongly urged by some, and we believe experience will prove the fact, that the telegraph, as has the public mail, will become one of the most important channels for transmitting public information, and save days, if not weeks of legislation.

In this view, and in this alone, for the reasons before stated, we recommend that the assembly take the subject into consideration, and appropriate such sum and upon such condition as it may deem proper.

JOHN M. WELLS,
Chairman of Committee.

On motion of Mr. Wells,

The said report was laid on the table.

Mr. Colley, from the committee on charitable and religious societies, to whom the same had been referred, reported

No. 2 (A.) A bill to authorize the presbyterian church in Platteville, Grant, co., to change its name and form of government,

Back to the assembly without amendment.

The speaker laid before the assembly the following communication, to wit:

To the Hon. assembly:

I have called on J. Gillet Knapp, Esq., state librarian, for the purpose of procuring a supply of enrolling paper for the use of the legislature.

Mr. Knapp refused to deliver me any paper on the ground that he has "trusted Wisconsin long enough." I have thought proper to report the facts to the assembly in order that that body might take such action in the premises as they might think expedient.

Very respectfully, &c.,
ROBERT L. REAM,
Chief Clerk.

Which, on moiton of Mr. Kerr,

Was laid upon the table,

Mr. Chase, from the select committee to whom was refered

No. 1 (A.) A bill to change the Kilbourn road district,

Reported the same back to the house with an amendment.

The said bill, No. 1 A, was then read the second time.

Mr. Pope, from the select committee to whom the subject was referred, reported

No. 12 (A,) A bill to vacate part of the town plat of the village of Janesville, in Rock county;

Which was read the first and second times.

Mr. Delaney, from the joint select committee on printing submitted a report, which was read as follows, to wit:

The committee on printing, to whom was referred the sub, ject of procuring 1000 copies of the governor's message in the German language and 500 copies of said message in the Norwegian language, respectfully

REPORT:

That in their opinion the said messages can be procured at the least expense, and at the earliest day by the passage of a joint resolution requesting some proprietors of German and Norwegian newspapers to furnish the requisite number of their respective papers, containing the governor's message in the German and Norwegian languages, for the use of the members of the legislature.

JOHN DELANEY,
Chairman.

On motion of Mr. Barber,

The said report was laid upon the table.

Mr. Toland introduced the following resolution, which was adopted, to wit:

Resolved, (the senate concurring,) That E. T. Herzberg be requested to furnish 1500 copies of the "Nordstern" containing the governor's message in German, and the Hon. J. D. Reymert 1000 copies of the "Nordlyset" containing the governor's message in the Norwegian language for the use of the members of both branches of the legislature.

Mr. Kuehn introduced the following resolution, which was adopted, to wit:

Resolved, That the joint committees on printing be requested to report in regard to the printing of the governor's message in the German and Norwegian languages, this afternoon.

A message from the senate by their chief clerk:

"MR. SPEAKER:

I am directed to inform you that the senate have elected John W. Boyd president pro tempore of the senate, in the absence of Hon. John E. Holmes, lieutenant governor.

Also,

That the senate have passed No. 6, (A.,) A bill to extend the time of collecting and returning taxes in the town of Waukesha.

Also,

That the senate has passed the following resolution;

Resolved, by the senate and assembly, That 450 copies of the report of the revisers in pamphlet form and 200 copies of each of the bills accompanying said report be printed for the use of the members of the legislature."

Mr. Barber moved that said message be now taken up,

Which was agreed to.

And the question being on concurring in said resolution,

Having been put,

It was decided in the affirmative.

Mr. Barber moved that the assembly resolve itself into committee of the whole for the consideration of the general file of bills,

Which was agreed to.

Mr. Barber in the chair.

And after some time spent therein the committee rose and by their chairman reported

No. 2 (S.) A bill relating to interest.

No. 9 (A.) A bill to change the name of Nils Cornelius Gulbransen to Nils Cornelius Bronson,

Without amendments.

No. 8 (A.) A bill to change the name of Archibald Hefflefinger to Archibald Coe and also to change the names of his three minor children, George, John, and Emeline Hefflefinger, to George, John, and Emeline Coe.

No. 5 (A.) A bill to provide for the custody of persons committed under the authority of the United States, and

No. 4 A bill to establish a state road through a part of the county of St. Croix, the county of Chippewa, and part of the county of Crawford,

Without amendment.

No. 2 (A.) A bill to authorize the presbyterian church in Platteville, Grant county, to change its name and form of government, and

No. 1 (A.) A bill to establish the Kilbourn road district,

With amendments.

And the question being on ordering said bill, no. 2 (S.,) to be read the third time,

Mr. Bird moved that the assembly adjourn,

Which was disagreed to.

Mr. Toland moved that the assembly adjourn until 2 1-2 o'clock P. M.

Which was agreed to.

HALF PAST TWO O'CLOCK, P. M.

The pending question being on ordering

No. 2 (S.) A bill relating to interest,

To be engrossed and read a third time,

Mr. Kelsey moved to amend by inserting after the word "interest" in the first section, the words "not exceeding eight per cent."

Mr. Toland moved to amend the amendment by striking out the word "eight" and inserting the word "ten;"

Mr. Bird moved that said bill be laid upon the table,

Which was disagreed to.

And the question being on the adoption of the amendment to the amendment, Mr. Kelsey moved a call of the assembly,

Which was ordered.

And the roll having been called,

Messrs. Leland, Meade, Rickerson, and Thomas were reported absent.

Leave of absence was granted to Messrs. Leland Meade and Rickerson.

Mr. Vineyard moved that further proceedings under the call be dispensed with,

Which was agreed to.

The question on the amendment to the amendment

Having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered

Those who voted in the affirmative were

Messrs. Bird, Briggs, Colley, Crawford, Hastings, Hazard, Kelsey, Kerr, Noble, Page, Phelps, Pope, Pratt, Toland, Turck and Willard—16.

Those who voted in the negative were

Messrs. Alden, Ayers, Barber, Bowron, Brown, Burns, Chase, Colwell, Cotton, Clark, Crandall, Cross, Daugherty, Delany, Dick, Fagan, Flynn, Gillilan, Hill, W. H. Johnson, Solon Johnson, Juneau, Keuhn, Kimball, King, Lown, Martin, Nute, O'Niel, Parkinson, Pierce, Pike, Reymert, Rockwell, Roys, Strong, Sugden, Thorp, Townsend, Vineyard, Warren, Wasson, Wells, White, Young, and Hobart (Speaker.)—46.

And the question being on the amendment to the bill,

Having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Bird, Colley, Crandall, Crawford, Hazard, Kelsey, Kerr, Lown, O'Neal, Page, Phelps, Pike, Pratt, Turck, and Wells—15.

Those who voted in the negative, were

Messrs. Alden, Ayres, Barber, Bowron, Briggs, Brown, Burns, Chase, Colwell, Cotton, Clark, Cross, Daugherty, Delaney, Dick, Fagan, Flynn, Gillilan, Hastings, Hill, W. H. Johnson, Solon Johnson, Juneau, Keuhn, Kimball, King, Martin, Noble, Nute, Parkinson, Pierce, Pope, Reymert, Rockwell, Roys, Strong, Sugden, Thorp, Toland, Townsend, Vineyard, Warren, Wason, White, Willard, Young and Hobart, (speaker.)—47.

The said bill was then ordered to be read the third time.

Mr. Burns, from the committee on education and school lands, to whom was referred

No. 3 (A) A bill to organize a school district therein named,

Reported the said bill back to the assembly without amendment,

And the said bill was then ordered to be engrossed and read the third time.

Mr. Barber, by leave, introduced the following resolution, which was adopted, to wit:

Resolved, That when this house adjourn, it will adjourn until Monday next at 10 o'clock A. M.

Resolved, That a committee of three be appointed to make some different arrangement of the seats in this hall.

Messrs. Barber, Pratt and Strong were appointed committee under the above resolution.

The said Bills, Nos. 4, 5, 8 and 9, (A.) were severally ordered to be engrossed and read the third time.

The amendments of the committee of the whole to said bill, no. 1 (A.)

Were concurred in,

And the said bill ordered to be engrossed and read a third time.

And the question being on said bill, no. 2 (A.) to be engrossed and read the third time,

Mr. White moved that the same be laid upon the table;

Which was agreed to

The speaker laid before the assembly the following communication from the governor, to wit:

EXECUTIVE DEPARTMENT,
Madison, January 19, 1849.

To the senate and assembly:

For your information, the first report of the board of public works submitted to this department, is herewith transmitted.

A careful examination is solicited.

The general plan adopted by the board, as embodied in their report, for the improvement of the Fox river and the canal is sustained by good reasons, and will be well calculated, if energetically carried out, to promote the progress of the work, and the prosperity of the country interested in its completion.

The board, after a careful examination of the law of the last session, are of the opinion that no further legislation is necessary to enable them to proceed with the improvement in a vigorous manner, therefore no modifications of existing laws on this subject are suggested.

NELSON DEWEY.

Mr. Daugherty moved that said report be laid upon the table and 500 copies thereof be printed;

Which was agreed to.

Mr. Hastings, from the select committee to whom the subject and petitions were referred, presented the following report to wit:

The majority of the committee to whom were referred the petition of I. Codding and others, touching the questions of slavery and the slave trade, as well as other papers in possession of the house, referring to the same subject, including a portion of the governor's message, would respectfully present as their report the annexed resolutions.

Respectfully submitted by
SAMUEL D. HASTINGS.
PETER TURCK.
Majority of committee on slavery and slave trade.

Mr. W. H. Johnson, by leave, presented

The petition of Milo Jones and 42 others, to grant unto Cyrus Curtis, his associates or assigns, a charter for the construction of a mill dam across Rock river, at or near the village of Fort Atkinson, in the county of Jefferson;

Which, on motion of Mr. Johnson,

Was referred to the committee on corporations.

On motion of Mr. Chase,

The assembly adjourned.

MONDAY, January 22, 1849.

Prayer by the Rev. Mr. Lord.

The journal of Friday was read.

Petitions were presented and referred as follows, to wit:

By Mr. Barber:

The account of William H. Sullivan.

By Mr. Bird:

The account of Daniel N. Johnson.

By Mr. Martin:

The petition and account of Edward D. Holton;

Which were severally referred to the committee on claims.

By Mr. Noble:

The petition of Gustavus de Neave and 72 others of the towns of Eden and Taychedah asking a separate organization;

Which was referred to the committee on town and county organization.

Also.

A petition of the voters of the town of Calumet praying that the town election of September last may be declared legal, and the place fixed for the next town election;

Which was referred to the committee on priviliges and elections.

By Mr. Brown:

The petition and account of N. W. Dean for building water closet, &c.

Referred to the committee on claims.

By Mr. Strong:

The petition of Gilbert Knapp and 127 others, citizens of Racine, praying for a re-appraisal of section 16, town 3, range 23;

Also,

The petition of Henry Ryan and 151 others, occupants and lessees of section 16, town 3, range 23, praying for a re-appraisal of the said section;

Which were severally referred to a select committee consisting of Messrs. Delaney, Hastings, Barber, Kerr, Wells, Colwell, Cross and Strong.

Leave of absence was granted to Messrs. Rickerson and Cotton.

Mr. Wells presented

The petition of citizens of school district No. 11, in the town of Waukesha.

Referred to the committee on education and school lands.

Notices for leave to introduce bills were given as follows,

By Mr. O'Neill:

For a bill for a state road from the Falls of Chippewa on the Chippewa river, to the Shaurette Mills, on the Wisconsin river, by the nearest practicable route.

By Mr. Cross:

For a bill concerning the acknowledgement of conveyances of real estate made out of the state.

Mr. Pike introduced the following resolution, which was adopted, to wit:

Resolved, That hereafter all printing done for the use of the legislature shall be done in octavo form, except bills and resolutions.

Mr. Kelsey introduced the following resolution, to wit:

Resolved, That the further printing of the daily slips of assembly be dispensed with;

And the question being on the adoption thereof,

Having been put,

It was decided in the negative.

Mr. Hastings introduced the following resolution, to wit:

Resolved, That 240 copies of the daily slip be printed for the use of the assembly;

And the question on the adoption of said resolution

Having been put,

It was decided in the negative.

Mr. Cross introduced the following resolution, which was adopted, to wit:

Resolved, (the senate concurring,) That the attorney general be requested to give and furnish the president of the senate, for the purpose of being communicated to both branches of this legislature, his opinion in writing as to the authority of this legislature to pass an act, at its present session, providing for the creation, organization, and establishment of a separate supreme court under the constitution of the state.

Mr. Reymert introduced the following resolution, which was adopted, to wit:

Resolved, That the committee on the judiciary be requested to report a plan for the regulation of tribunals of conciliation, defining their powers and duties, &c., in conformity with the 16th section of article 7, of the constitution of Wisconsin.

Mr. Bowron introduced the following resolution, which was adopted, to wit:

Resolved, That so much of the governor's message as refers to an application to congress for a grant of land for the purpose of constructing a railroad, connecting the waters of the St. Crox river with those of Lake Superior, be referred to a select committee of three.

The speaker announced the appointment of Messrs. Bowron, Thorp, and O'Neil, as said committee under the above resolution.

Mr. Kerr introduced the following resolution, which was adopted to wit:

Resolved, That the chief clerk of the assembly be and is hereby directed to call on his excellency the governor, and procure such amount of enrolling paper as may be necessary to enroll the several bills and resolutions of the present session.

Mr. Cross, by leave introduced

No. 13 (A) A bill to amend an act to prescribe the mode of proceeding in chancery, and

No. 14 (A.) A bill to amend an act entitled an act concerning the action of ejectment.

Which were severally read the first and second times.

Mr. Daugherty, from the committee on engrossed bills, reported as correctly engrossed

No. 1 (A,) A bill to establish the Kilbourn road district,

No. 4 A bill to establish a state road through a part of the county of St. Croix, the county of Chippewa, and part of the county of Crawford.

No. 5 (A.) A bill to provide for the custody of persons committed under the authority of the United States, and

No. 8 (A.) A bill to change the name of Archibald Hefflefinger to Archibald Coe and also to change the names of his three minor children, George, John, and Emeline Hefflefinger, to George, John, and Emeline Coe.

No. 9 (A.) A bill to change the name of Nils Cornelius Gulbransen to Nils Cornelius Bronson,

The speaker laid before the assembly communications from the sheriffs of Green, Iowa, Walworth and Waukesha counties, in answer to a resolution of the assembly, passed on the 15th inst;

Which were read.

On motion of Mr. Barber,

Referred to the committee on state's prison.

Also,

A communication from the secretary of state;

Which was read, as follows, to wit:

SECRETARY'S OFFICE,
Madison, Jan. 20th, 1849.

Hon. H. C. Hobart,
Speaker of the Assembly:

SIR—In reply to a resolution of the assembly of yesterday's date, requesting me to lay before the assembly the estimated expenses of the state for the year ending January 1st, 1850, I have the honor to report that the statement required will be found in my annual report, which has already been transmitted to the legislature.

With great respect,
Your obedient serv't,
THOMAS McHUGH,
Sec'y of State.

No 2 (S) A bill relating to interest,

Was read the third time.

And the question being on its passage,

Mr. Kelsey moved that said bill be referred to a select committee;

Which was disagreed to.

And the question on the passage of the bill,

Having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Alden, Ayers, Barber, Bowron, Brown, Burns, Chase, Colwell, Clark, Cross, Daugherty, Delany, Dick, Fagan, Flynn, Gillilan, Hastings, Hill, W. H. Johnson Solon Johnson, Juneau, Keuhn, King, Martin, Nute, Parkinson, Phelps, Pierce, Pike, Reymert, Rockwell, Roys, Strong, Sugden, Thorp, Toland, Townsend, Warren, Wasson, White, Young, and Hobart (Speaker)—42.

Those who voted in the negative were

Messrs. Bird, Briggs, Colley, Crandall, Crawford, Hazard, Kelsey, Kerr, Lown, Noble, O'Niel, Page, Pope, Pratt, Thomas, Turck, Wells, and Willard—18.

No. 1. (A.,) A bill to establish the Kilbourn road district,

No. 4, (A,) A bill to establish a state road through part of St. Croix county, the county of Chippewa, and part of the county of Crawford;

No. 5, (A,) A bill to provide for the custody of persons committed under the authority of the United States;

No. 8 (A.) A bill to change the name of Archibald Hefflefinger to Archibald Coe, and also to change the name of his three minor children, George, John and Emeline Hefflefinger to George, John and Emeline Coe;

No. 9 (A.) A bill to change the name of Nils Cornelius Guldbransen to Nils Cornelius Bronson;

Were severally read the third time, passed, and the titles thereof agreed to.

On motion of Mr. Barber,

The assembly resolved itself into committee of the whole for the consideration of the governor's message,

Mr. Burns in the chair.

And after some time spent therein the committee rose and by their chairman reported the message back to the assembly with sundry references.

And the question being on concurring with said references, which are embodied in the following resolutions, to wit:

Resolved, That so much of the governor's message as refers to the territorial bonds, issued in aid of the Milwaukee and Rock river canal, be referred to the committee of ways and means.

Resolved, That so much of the governor's message as relates to the utility of our collection laws, be referred to a select committee of five.

Resolved, That so much of the governor's message as relates to patents for canal lands, and the accounts of register and receiver, be referred to the committee on the judiciary.

The report of the committee was concurred in.

On motion of Mr. Roys,

The assembly resolved itself into committee of the whole for the consideration of the general file of bills,

Mr. Strong in the chair.

After some time spent therein the committee rose, and by their chairman reported back to the assembly

Memorial No. 1 (A.) Memorial to congress on the subjec of a mail route from Falls St. Croix, to La pointe on lake Superior;

Memorial No. 3 (A.) Memorial to Congress for a mail route from Prairie La Cross to Prairie du Sac;

Without amendments.

No. 10 (A.) A bill amendatory to an act to provide for the division of the several counties under the county system of government, and

No 11 (A.) A bill to organize the several towns therein named,

With amendments.

The said memorials, Nos. 1 and 3, A, were ordered to be engrossed and read the third time.

The amendments to said bills, Nos. 10 and 11, (A.) having been concurred in,

The said bills were severally ordered to be engrossed and read the third time.

Mr. Kerr, from the committee on enrolled bills, reported as correctly enrolled

No. 6 (A.) A bill to extend the time of collecting and returning taxes in the town of Waukesha.

Mr. Kerr, from the committee on enrolled bills, reported that the committee had this day presented to the governor for his approval

No. 6 (A.) A bill to extend the time of collecting and returning taxes in the town of Waukesha.

On motion of Mr. Barber;

The assembly adjourned.

TUESDAY, January 23d, 1849.

Prayer by the Rev. Mr. Read.

The journal of yesterday was read.

A message from the senate by their chief clerk:

"MR. SPEAKER:

I am directed to inform you that the senate have nonconcurred in the following resolution:

Resolved, (the senate concurring,) That E. F. Herzberg be requested to furnish 1500 copies of the Nordstern containing the governor's message in German, and the Hon. James D. Reymert 1000 copies of the Nordlyset containing the governor's message in the Norwegian language, for the use of the members of the legislature.

Also,

That the senate has passed

No. 3 (S.) A bill to appropriate to the county of Brown the sum therein named, and

No. 7 (S.) A bill for an act to provide the legislature with certain books;

In which the concurrence of the assembly is requested.

The speaker announced the appointment of Messrs. Barber, Dougherty, Burns, Pike and Bowron as the select committee of five to whom was referred so much of the governor's message as relates to the utility of our collection laws.

Mr. Delany, by leave, from the select committee to whom the subject had been referred, reported

No. 15 (A.) A bill for the re-apprisal of a school section therein named;

Which was read the first and second times.

Mr. Pierce, by leave, introduced

No. 16 (A.) A bill declaring certain roads in the town of Shields lawful highways:

Which was read the first and second times.

Mr. O'Neill, by leave, introduced

No. 17 (A.) A bill for a state road from Chippewa Falls, by Black river, to the Shaurette Mills, on the Wisconsin river;

Which was read the first and second times.

Mr. Cross introduced

No. 18 (A.) A bill concerning the acknowledgement of conveyances of real estate, made out of this state;

Which was read the first and second times.

Notices were severally given for leave to introduce bills, as follows, to wit:

By Mr. Bowron:

For a bill for the organization of St. Croix county for judicial purposes, with La Pointe attached.

By Mr. Wells:

For a bill in relation to school district No. 11. in the town of Waukesha.

Mr. Chase presented the following resolution, adopted by the board of supervisors of Milwaukee county:

Resolved, That the dictates of humanity require that some speedy provision should be made for the founding of a lunatic asylum, and we hereby request the senators and representatives from Milwaukee county, to bring the matter before the legislature at an early day of the coming session, and to urge the early passage of a law providing for the establishment of the same.

Which, on motion of Mr. Chase, was referred to a select committee consisting of Messrs. Chase, W. H. Johnson. and Strong.

Mr. Barber introduced the following resolution, which was adopted, to wit:

Reoslved, That the sergeant-at arms be directed to procure a stove to be placed in the west end of the hall under, the gallery.

Mr. Bird introduced the following resolution, to wit:

Resolved, That the sergeant-at-arms be directed to remove Messrs. Solon Johnson and Bird's desk to the west end of the N. E. range of desks in this room.

Mr. Hastings moved to amend the same by striking out the words Messrs. Solon Johnson and Bird, and insert Messrs. Pratt and Hastings;

Which was agreed to.

And the question on the passage of the resolution as amended,

Having been put,

It was decided in the negative.

Mr. Delaney introduced the following resolution, which was adopted, to wit:

Resolved, That members who are dissatisfied with their location on the floor of this house, be requested to effect changes by private arang ement among themselves.

Mr. Brown, from the committee on claims, reported

No. 19 (A.) a bill to appropriate to William H. Sullivan the sum therein named;

Which was read the first and second times.

Mr. Bowron, from the majority of the committee on state lands, submitted a report, which was read, as follows, to wit:

The majority of the committee on state lands, to whom was referred that portion of the governor's message relating to the national domain, would beg leave to

REPORT:

That they fully concur with that part of said message which says, "The present manner of disposing of the national domain in unlimited quantities has become a striking evil."

They would therefore recommend the passage of the following joint resolution:

Resalved, (the senate concurring,) That our senators in congress be instructed, and our representatives be requested to use their utmost exertions to have the land laws so amended as to grant pre-emption rights in quantities not exceeding one hundred and sixty acres to actual settlers, both on unsurveyed and surveyed lands at the cost of survey and office fees, for making out certificates of location and title deeds: And also so as to prevent any individual or company of individuals in future from purchasing more than one section.

All of which is respectfully submitted.

J. BOWRON, Chairman.

Mr. Chase, from the minority of said committe also submitted a report which was read, as follows, to wit:

The undersigned, one of the committee on state lands, to whom was referred so much of the governor's message as refers to the public domain and the disposal of the same, begs leave to

REPORT:

That he concurs with the governor in the opinion that the monopoly of the public lands by individuals in large quantities is a great evil, and would be glad to find some remedy for it, and concurs that the subject should be presented to congress for their consideration. But he cannot concur in the report of the majority that the public lands should be granted to individuals at a nominal price, or for the cost of surveying, &c., but thinks it would be a more just, correct and judicious course to have the clear proceeds of the public lands distributed to the several states for the purpose of forming a school fund, for ever believing as he does, that the permanence of our institutions depends upon the amount of intelligence diffused among the great mass of the citizens of the United States.

Which said reports were accepted.

And on motion of Mr. Barber,

Were laid upon the table and made the special order of Monday next.

Mr. Barber, from the select committee on the report of the revisers of the laws, reported

No. 20 (A,) A bill relating to towns and town officers,

Which was read a first and second times.

Mr. Barber introduced the following resolution, to wit:

Resolved, That the desks in this hall be numbered with the odd numbers embracing the whole number of desks, and the clerk prepare equal numbers, corresponding with the number of desks, and the members, one from each desk, as the number of his desk is called, shall be entitled to draw for his position on this floor, and the members occupying any desk shall thereafter be entitled to their seats upon this floor, where the desk he shall so draw shall be respectively situated.

And the question on its adoption

Having been put,

It was decided in the negative.

Mr. Hastings, by leave, introduced the following resolution, which was adopted to wit:

Resolved, That the chief clerk be instructed to inquire why the members of the assembly have not been supplied with printed copies of the resolutions on slavery and the slave trade, and the rules of the assembly, reported to the house and ordered to be printed on Friday last.

Mr. Burns, by leave, introduced

The account of Levi Sterling, sheriff of Iowa county;

Which, on motion of Mr. Burns.

Was referred to the committee on claims.

Mr. Martin, by leave, introduced the following resolution, to wit:

Resolved, That the use of this hall be granted to Mr. Chase this evening, for the purpose of lecturing upon the science of phrenology and patheism.

And the question on its adoption

Having been put,

It was decided in the negative.

Mr. Hastings, by leave, introduced the following resolution, which was adopted, to wit:

Resolved, That the joint resolutions on slavery and the slave trade be made the special order of the day for Saturday next.

On motion of Mr. Hastings,

The assembly resolved itself into committee of the whole for the consideration of the general file of bills,

Mr. Hastings in the chair.

And after some time spent therein the committee rose and by their chairman reported back to the assembly without amendments the following bills, to wit:

No. 12 (A.) A bill to vacate part of the village of Janesville in Rock county;

No. 13 (A.) A bill to amend an act to prescribe the mode of proceeding in chancery;

Memorial No. 2 (A.) A memorial to congress on the subject of a mail route from Waukesha to Port Washington, and

No. 14 (A.) A bill to amend an act entitled an act concerning the action of ejectment.

Bills Nos. 12 and 13 A, and memorial No. 2 A, were then ordered to be engrossed and read the third time.

And the question being on ordering said bill, No. 14 A, to be engrossed and read the third time,

Mr. Chase moved that said bill be referred to the committee on the judiciary;

Which was agreed to.

The message from the senate was then taken up,

No. 3 (S.) A bill to appropriate to the county of Brown the sum therein named,

No. 7 (S.) A bill for an act to provide the legislature with certain books,

Were severally read the first and second times.

On motion of Mr. Barber,

The rules having first been suspended for that purpose,

The assembly resolved itself into committee of the whole for the consideration of

No 20 (A.) A bill relating to towns and town officers,

Mr. Pike in the chair.

And after some time spent therein the committee rose, and by their chairman reported progress and asked leave to sit again:

Leave was granted.

A message from the senate by thier chief clerk:

Mr. SPEAKER:

I am directed to inform you that the senate has concurred in the following resolution:

Resolved, (the senate concurring,) That the attorney general be requested to give and furnish the president of the senate for the purpose of being communicated to both branches of this legislature, his opinion in writing as to the authority of this legislature to pass an act, at its present session, providing for the creation, organization and establishment of a separate supreme court under the constitution of the state.

On motion of Mr. Strong,

The printing of bill

No. 15 (A) A bill for the re-apprisal of a school section therein named,

Was dispensed with.

Mr. Strong moved that the rules be suspended, and that the assembly resolve itself into committee of the whole for the consideration of said bill;

Which was agreed to.

On motion of Mr. Burns,

The assembly adjourned until 2 o'clock.

TWO O'CLOCK, P. M.

Mr. Daugherty, from the committee on engrossed bills, reported the following bills as correctly engrossed:

Bill No. 3 (A.) A bill to organize a school district therein named; Also,

Bill No. 10 (A.) A bill amendatory to an act to provide for the division of the several counties under the county system of government, into towns.

Mr. Burns moved that all rules be suspended, and that said bills be put upon their third reading now;

Which was agreed to.

The said bills, No. 3 and No. 10 (A.,) were then severally read the third time, passed, and the titles thereof agreed to.

On motion of Mr. Strong,

The assembly resolved itself into committee of the whole for the consideration of

No. 15, (A.) A bill for the re-appraisal of a school district therein named,

Mr. Brown in the chair.

And after some time spent therein the committee rose and by their chairman reported said bill, No. 15 (A.) back to the assembly without amendments.

The said bill was then ordered to be engrossed and read the third time.

Mr. Solon Johnson gave notice that on to-morrow or some future day he would introduce

A bill for the payment of the milage of members of the assembly,

Mr. Parkinson introduced the following resolution, which was adopted, to wit:

Resolved, That the attorney general and the committee on the judiciary in the assembly be requested to give their opinion to the assembly upon the legal effect of the vote taken by the electors of the county of Lafayette, after the adoption of the constitution of this state, in pursuance of an act entitled "An act to authorize the voters of Lafayette county to vote for the locating the county seat thereof," approved March 11, 1848; and also whether this legislature can now locate the county seat of said county, in pursuance of the first section of said act, without violating the constitution of this state; and also where the permanent and temporary county seat of said county now is; and also whether the words "county seat" in section 8, of article 13, of the constitution of this state, mean the temporary county seat or the permanent county seat, or both.

The speaker laid before the assembly the communication of D. T. Dickson in relation to printing; which was read as follows, to wit:

MADISON, Jan. 23, 1849.

R. L. Ream, Esq., Chief Clerk of assembly:

SIR: Your note enclosing a copy of a resolution passed by the assembly this morning, has just been handed to me, and in answer to the inquiries therein made, to wit: "Why members of the assembly have not been supplied with printed copies of the resolutions on slavery and the slave trade and the rules of the assembly," I answer:

It has ever been the practice to furnish *bills* first, and documents and other work as speedily as possible. The great amount of work ordered by the assembly, has so crowded our presses that it has been impossible to furnish printing faster than has been done, although much work has been for some time in type and ready for the presses; and notwithstanding the almost constant running of presses, (day and night and Sundays,) I have been unable to meet your demands more rapidly. Believing the above a sufficient answer to the resolution, without a further detail of hindrances,

I am, &c., yours,

D. T. DICKSON.

On motion of Mr. White,

The assembly resolved itself into the committee of whole for the further consideration of

No. 20 (A.) A bill relating to towns and town officers;

Mr. Pike in the chair.

And after some time spent therein the committee rose and by their chairman reported progress and asked leave to sit again.

Leave was granted.

A message from the senate by their chief clerk:

Mr. Speaker:

I am directed to inform you that the senate has passed

No. 11 (S.) A bill regulating the management of public property; also,

No. 12, (S.) A bill to provide for paying Nathaniel F. Hyer for his services as a commissioner to locate the university lands;

In which the concurrence of the assembly is requested.

The message of the senate was taken up, and the said bills, Nos. 11 and 12 (S.,) referred to in said message, were severally read the first and second times.

Mr. Barber moved that all rules be suspended and that said bill, No. 11, (S.) be read the third time now;

Which was agreed to.

The said bill was then read the third time, passed, and the title thereof agreed to.

Mr. Strong introduced the following resolution, which was adopted, to wit:

Resolved, by the assembly, (the senate concurring,) That a joint committee of two from the senate and four from the assembly be appointed to confer with the building committee of the board of supervisors of Dane county, now in session in Madison, as to the propriety of building a court honse and a suitable building for state officers within the public square.

The speaker laid before the assembly a communication from the governor, which was read as follows, to wit:

"Executive Department,
January 23, 1849.

To the assembly:

I have this day approved, signed, and deposited in the office the of secretary of state,

An act entitled an act to extend the time for collecting and returning taxes in the town of Waukesha.

NELSON DEWEY

On motion of Mr. Cross,

The assembly adjourned.

WEDNESDAY, January 24, 1849.

Prayer by the Rev. Mr. Read.

The journal of yesterday was read.

Petitions were presented and referred, as follows, to wit:

By Mr. Crawford:

The petition of Jacob LyBrand and others for a village charter;

Referred to the committee on incorporations.

By Mr. Juneau:

The petition of Oscar Hurlburt and others, praying for the passage of a law legalizing the acts of the commissioners of highways in the town of LeRoy;

Referred to the committee on the judiciary.

By Mr. Townsend:

The petition of 52 of the inhabitants of Utica, praying for the repeal of a law of the last session, attaching section six of their town to Rushford;

Referred to the committe on town and county organization; also,

The petition of Edward Eastman and 85 others for a state road from Elk Horn to Ceresco;

Referred to the committee on roads, bridges and ferries.

Mr. Kerr, from the committee on enrolled bills, reported as correctly enrolled,

No. 2 (S.) A bill relating to interest.

Mr. Daugherty, from the committee on engrossed bills, reported as correctly engrossed,

No. 11 (A.) A bill to organize the several towns therein named;

No. 12 (A.) A bill to vacate part of the town plot of the village of Janesville, in Rock county;

No. 13 (A.) A bill to amend an act entitled an act to prescribe the mode of proceeding in chancery;

No. 15 (A.) A bill for the re-appraisal of a school section therein named;

Memorial No. 3 (A.) memorial to congress for a mail route from Prairie la Crosse to Prairie du Sac.

Memorial No. 1 (A.) memorial to congress on the subject of a mail route from the Falls of St. Croix to La Pointe, on lake Superior;

Memorial No. 2 (A.) Memorial to congress on the subject of a mail route from Waukesha to Port Washington.

The said bills, Nos. 12, 13, 15, and memorials Nos. 1, 2 and 3 (A.) were severally read the third time, passed, and the titles thereof agreed to.

The said bill, No. 11 (A.,) was then read the third time,

And the question being on the passage thereof,

Mr. Daugherty moved to amend the same by filling the first blank in section 3 with the name of William C. Wolcott, and the second blank in said section with the name of Lyman Walker;

Which was agreed to.

The said bill was then passed and the title thereof agreed to.

Mr. Solon Johnson, by leave, introduced

No. 21 (A.) A bill for the payment of the milage of the members of the legislature;

Which was read the first and second times.

Mr. Parkinson, from the committee on privileges and elections, reported

No. 22 (A.) A bill to legalize the proceedings of a special town meeting in the town of Calumet;

Which was read the first and second times.

Mr. Wells, by leave, introduced

No. 23 (A.) A bill in relation to school district No. 11, in the town of Waukesha;

Which was read the first and second times.

On motion of Mr. Daugherty,

The assembly resolved itself into committee of the whole for the consideration of the general file of bills

Mr. Daugherty in the chair.

And after some time spent therein the committee rose and by their chairman reported back to the assembly

No. 3 (S.) A bill to appropriate to the county of Brown the sum therein named;

No. 7 (S.) a bill for an act to provide the legislature with certain books;

No. 2 (S) A bill to provide for paying Nathaniel F. Hyer for his services as commissioner to locate the university lands,

Which said bills were then severally ordered to be read the third time.

The speaker then laid before the assembly the following communication, which was read, as follows, to wit:

To the honorable the senate and assembly of the state of Wisconsin:

The undersigned, having prepared a large manuscript map of the state of Wisconsin, embracing its whole extent, and including the surveys down to the present time, and believing that the public interest would be promoted by its publication, would respectfully ask your honorable body to subscribe for a number of copies for the use of the state, and thereby enable him to have the same engraved and published.

The map is now ready to be exhibited to such committee as may be appointed to examine it.

Very respectfully,

I. A. LAPHAM.

Madison, January 24th, 1849.

On motion of Mr. Cross,

The said communication was referred to a select committee, consisting of Messrs. Strong, Cross and Burns.

Notices for leave to introduce bills were given as follows:

By Mr. Townsend:

For a bill to attach four towns from the southern part of Winnebago county.

By Mr. Clark:

For a bill to extend the boundaries of the county of Marquette.

On motion of Mr. Strong;

The assembly adjourned.

THURSDAY, January 25th, 1849.

Prayer by the Rev. Mr. Lord.

The journal of yesterday was read.

Mr. Bowron introduced the following resolution, to wit:

Resolved, That a select committee of five be appointed to inquire into the expediency of procuring two large reference maps of the state of Wisconsin, for the use of the senate and assembly halls, to be made on a scale of at least four miles to the inch, containing the government surveys to the present date, and embracing the boundaries of geographical as well as organized towns, counties, assembly, senatorial, congressional, and judicial districts; and that said committee report to this house as early as convenient.

Mr. Cross moved that the resolution be referred to the select committee to whom was referred the communication of I. A. Lapham;

Which was disagreed to,

The question on the adoption of said resolution

Having been put,

It was decided in the affirmative.

The speaker appointed Messrs. Bowron, Pratt, Hill, Leland, and Toland as said committee.

Mr. Pratt presented

A communication from the county clerk of Walworth county on the subject of marriage license;

Which was referred to the committee on the judiciary.

Mr. Kelsey introduced the following resolution:

Resolved, That the printing of the daily slips of the assembly be dispensed with;

And the question on its adoption

Having been put,

It was decided in the affirmative.

The ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs Briggs, Colwell, Colley, Clark, Crandall, Daugherty, Dick, Fagan, Hastings, Hazard, Hill, Kelsey, Lown, Martin, Noble, Nute, Page, Phelps, Pike, Pope, Pratt, Roys, Strong, Thorp, Toland, Turck, Warren, Wasson, Wells, White, Willard and Young—38.

Those who voted in the negative, were

Messrs. Alden, Barber, Bird, Bowron, Brown, Chase, Crawford, Cross, Delaney, Flynn, Gillilan, W. H. Johnson, Solon Johnson, Juneau, Kerr, Keuhn, Kimball, King, Leland, O'Neal, Parkinson, Pierce, Reymert, Rockwell, Sugden, Thomas, Townsend, and Hobart, (speaker)—28.

Mr. Lown introduced the following resolution, which was adopted to wit:

Resolved. That the sergeant-at-arms be directed to procure a screen 5 feet deep by 6 feet wide to place in front of the stove in the north-east corner of the hall.

Mr. Toland introcuced the following resolution, which was adopted, to wit:

Resolved, That E. T. Herzberg be requested to furnish one thousand copies of the "Nordstern," containing the governor's message in the German language, and that the Hon. J. D. Reymert be requested to furnish five hundred copies of the "Nordlyset," containing the governor's message in the Norwegain language, for the use of the members of the assembly.

The speaker announced the appointment of Messrs. Brown, White, Kerr, and Thorp, as the committee on the part of the assembly, under the joint resolution of the senate and assembly relative to conferring with the building committee of Dane county.

Mr. Daugherty introduced the following resolution, which was adopted to wit:

Resolved, That the use of this hall be tendered to Mr. Van-Amringe this evening, to lecture upon the subject of national reform.

Mr. Kerr, from the committee on enrolled bills, reported

No. 11 (S.) A bill regulating the management of public property,

As correctly enrolled.

The said bill was thereupon signed by the speaker, and transmitted to the senate.

Mr. White moved that the report of the board of public works be taken from the table and refererred to the committee on internal improvements.

Which was agreed to.

Mr. Chase, from the select committee to whom the same had been referred, submitted a report, which was read and accepted, to wit:

The select committee to whom was referred the resolutions of the board of supervisors of Milwaukee county, beg leave to

REPORT:

That they have had the subject under consideration, and that they have become impressed with the importance of the subject. Your committee can conceive of no harder lot than to be poor and not clothed in his right mind. The condition of such appeals to the best feelings of our nature, and your committee think that the injunction of our Savior to feed the poor and clothe the naked should not be neglected, but that the spirit of those precepts should be carried out in practice.

Your committee therefore would recommend that measures be taken at as early a day as the financial condition of the state will permit, to found a lunatic asylum in this state.

A message from the senate, by their chief clerk.

Mr. Speaker: I am directed to inform you that the senate has concurred in the following resolution:

Resolved, by the assembly, (the senate concurring,) That a joint committee of two from the senate and four from the assembly be appointed to confer with the building committee of the board of supervisors of Dane county, now in session in Madison, as to the propriety of building a court house and a suitable building for state officers within the public square;

And have appointed Messrs Lakin and Gardner a committee on the part of the senate on the said resolution.

No. 3 (S.) A bill to appropriate to the county of Brown the sum therein named,

No. 7 (S.) A bill for an act to provide the legislature with certain books, and

No. 12 (S) A bill to provide for paying Nathaniel F. Hyer for his services as commissioner to locate the university lands,

Were severally read the third time, passed, and the titles thereof agreed to.

On motion of Mr. Barber,

The assembly resolved itself into committee of the whole for the further consideration of

No 20 (A.) A bill relating to towns and town officers,

Mr. Brown in the chair.

And after some time spent therein the committee rose and by their chairman reported said bill back to the assembly with sundry amendments.

On motion of Mr. Barber,

The said bill was then laid upon the table.

A message from the senate by their chief clerk:

MR. SPEAKER:

I am directed to inform you that the senate has passed the following bills without amendment:

No. 5 (A.) A bill to provide for the custody of persons committed under the authority of the United States, and

No. 8 (A.) A bill to change the name of Archibald Hefflefinger to Archibald Coe and also to change the names of his three minor children, George. John, and Emeline Hefflefinger, to George, John, and Emeline Coe.

No. 9 (A.) A bill to change the name of Nils Cornelius Gulbransen to Nils Cornelius Bronson.

Also the following bill

No. 15 (A.) A bill for the re-appraisal of a school section therein named,

With amendments in which the concurrence of the assembly is requested.

And that the senate has passed the following bills;

No. 9 (S.) A bill to appropriate to the county of Crawford the sum therein named.

No. 10 (S.) An act to provide for laying out a certain road in the counties of Fond du Lac and Winnebago;

No. 17 (S.) A bill to pay Messrs. Hale and Chapman the sum therein named;

No. 14 (S.) A bill to appropriate to J. C. Fairchild the sum therein named;

No. 18 (S.) A bill to provide for the payment of the commissioners appointed to locate the state lands;

In which the concurrence of the assembly is requested.

The message from the senate was then taken up,

And the question being on concurring in the amendments of the senate to

No. 15 (A.) A bill for the re-apprisal of a school section therein named; which were

1st. Amend by striking out the name of Solmous Wakeley and inserting in lieu thereof the name of Elisha Eldred,

2d. Amend by striking out the word "duties" in the 7th line, and the word "had" in the 9th line, and insert after the figures "1848" in the 11th line as follows "were entitled to and shall perform the same duties, and be paid in the same manner as now provided by law;

And having been put,

It was decided in the affirmative.

Mr. Kerr, from the committee on enrolled bills, reported that said committee had this day presented to his excellency the governor for his approval

No. 2 (S.) A bill relating to interest; also,

No, 11 (S.) A bill relating to the management of public property;

On motion of Mr. Barber,

The assembly adjourned.

FRIDAY, January 26th, 1849.

Prayer by the Rev. Mr. Lord.

The journal of yesterday was read.

Petitions praying for the incorporation of a company to build a bridge across the Wisconsin river were presented and referred as follows to wit:

By Mr. Bird:

The petition of Abel Dunning and 55 others; also,

The petition of G. B. Thompson and 18 others; also,

The petition of S. Lamb and 94 others.

By Mr. Burns:

The petition of J. B. Walker and 61 others, citizens of Iowa and Dane counties.

By Mr. Leland:

The petition of R. D. Baxter and 140 others, citizens of Sauk county.

By Mr. Pierce:

The petition of R. M. Smith and 30 others citizens of Iowa county;

Which were severally referred to the committee on roads, bridges, and ferries.

Mr. Roys presented

The petition of 550 inhabitants of Winnebago county in relation to their county seat.

Mr. Thorp presented

The petition of Uriah Wood and 18 others of the town of Bristol praying for the repeal of an act to change the boundaries of the towns of Paris and Bristol, in the county of Racine;

Which were severally referred to the committee on town and county organization.

Mr. Townsend presented

The petition of sundry citizens for a bridge across the Fox river at Algoma;

Which was referred to the committee on roads, bridges, and ferries.

Mr. Delaney presented

The account of Wm. S. Henry for services in territorial suits, vs. Doty and others.

Referred to the committee on claims.

Mr. Willard presented

The petition of Henry C. Wheeler and 27 others praying for an act to incorporate the "Spring Valley Academical Association;"

Which was referred to a select committee, consisting of Messrs. Willard, King, and Alden.

Mr. Hastings presented

A communication from S. A. Durimel on the subject of the location of a state prison;

Referred to the committee on state prison.

Mr, Noble presented

A petition from the city of Taycheedah praying that the time for the collection of taxes, in the town of Taycheedah, Fond du Lac county, may be extended to the first of April next;

Which was referred to a select committee consisting of Messrs. Noble, Thorp, and Briggs.

Mr. Wells presented

A communication from the clerk of the board of supervisors of Waukesha county in relation to the appraisal of a certain school section, and praying for a re-apprial thereof;

Referred to a select committee consisting of Messrs. Wells, Colwell, Fagan, Hazard and Crawford.

Mr. Strong asked for leave to be excused from further service as a member of the committee to whom has been referred the report of the committee on the revision of the laws.

Leave was granted.

The speaker appointed Mr. Delaney as a member of said committee in place of Mr. Strong,

Mr. Toland introduced the following resolution, which was adopted, to wit:

Resolved, That the use of this hall be given to H. H. Van-Amringe, for the purpose of lecturing on the subject of land reform, &c., &c. during his stay in Madison, when not otherwise occupied by the assembly.

Mr. Phelps introduced the following resolution, which was adopted to wit:

Resolved, That the committee on the judiciary be instructed to give their opinion upon that part of the constitution, which provides for the removal of county seats; *first* whether the vote in the removal can in any case be taken, before the legislature shall have fixed upon the point to which it is proposed to be removed; *second*, whether the law passed at the last session of the legislature in relation to the county seat of Washington county was in accordance with the provisions of the constitution.

Mr. Clark, by leave, introduced

No. 24 (A.) A bill to extend the boundaries of the county of Marquette;

Which was read the first and second times,

And referred to the committe on town and county organization.

Mr. Martin gave notice that on to-morrow or some future day he would ask leave to introduce

A bill to repeal an act entitled an act concerning the time of commencing actions, approved January 13, 1840, and the 12th section of the act entitled an act to provide for the election of clerks of the board of supervisors, and for other purposes, approved January 27th, 1844.

Mr. White introduced the following resolution, which was adopted, to wit:

Resolved, That the committee on the judiciary be, and hereby is instructed to inquire into and report to this house whether any alteration in the act to exempt a homestead from forced sale is necessary to secure its benefits to residents not natives of the United States.

Mr. Alden introduced the following resolution, to wit:

Resolved, That the judiciary committee be instructed to inquire into the expediency of repealing all laws for the collection of debts, contracted within the state after the first day of January next, or of debts contracted within the state under $1000 or under $500. or a less amount, and to report by bill or otherwise;

And the question being on the adoption thereof,

Having been put,

It was decided in the negative.

Mr. Cross, from the committee to whom the subject had been referred, submitted the following report, which was read, as follows:

The select committee, to whom was referred the communication of I. A. Lapham, relative to a large map of the state of Wisconsin, beg leave respectfully to

REPORT:

That they have had the matter under consideration, and after a careful examination of the manuscript now exhibited in this hall, together with certificates of gentlemen of the highest respectability and possessing sufficient knowledge and information of the subject to give weight and authority to their opinions here, come to the conclusion that a map of the kind for the use of the several state offices is very desirable, and for the purpose of taking such action as will be necessary to procure a suitable number for the use of the state offices respectively, they offer the following resolution.

All of which is respectfully submitted.

MARSHALL M. STRONG,
J. B. CROSS,
TIMOTHY BURNS,
Committee.

January 25th, 1849.

No. 1 (A.) Joint resolution relative to maps, referred to in the foregoing report,

Was then read the first and second times.

No. 9 (S.) A bill to appropriate to the county of Crawford the sum therein named;

No. 14 (S.) A bill to appropriate to J. C. Fairchild the sum therein named;

No. 17 (S.) A bill to pay Messrs. Hale and Chapman the sum therein named, and

No. 18 (S.) A bill to provide for the payment of the commissioners to locate the state lands;

Were severally read the first and second times,

And referred to the committee on claims.

No. 10 (S.) An act to provide for the laying out a certain road in the counties of Fond du Lac and Winnebago,

Was read the first and second times.

A message from the senate by their chief clerk:

Mr. Speaker:

I am directed to inform you that the senate has passed

No. 15 (S.) A bill to change the name of John Mehan to John Smith;

In which the concurrence of the assembly is requested.

Mr. Kerr, from the committee on enrolled bills, reported

No. 15 (A.) A bill for the re-apprisal of a school section therein named,

No. 5, (A.) A bill to provide for the custody of persons committed under the authority of the United States;

No. 9 (A.) A bill to change the name of Nils Cornelius Guldbransen to Nils Cornelius Bronson;

No. 8 (A.) A bill to change the name of Archibald Hefflefinger to Archibald Coe, and also to change the name of his three minor children, George, John and Emeline Hefflefin to George, John and Emeline Coe; also,

No. 3 (S.) A bill to appropriate to the county of Brown the sum therein named,

No. 7 (S.) A bill for an act to provide the legislature with certain books; and

No. 12, (S.) A bill to provide for paying Nathaniel F. Hyer for his services as a commissioner to locate the university lands;

As correctly enrolled.

The said bills were thereupon signed by the speaker and transmitted to the governor.

Leave of absence was granted to Messrs. W. H. Johnson, Nute, and Pope.

The speaker laid before the assembly communications from the sheriffs of the counties of Milwaukee, Grant and Winnebago;

Which were referred to the committee on state prison.

On motion of Mr. Barber,

No. 20 (A.) A bill relating to towns and town officers,

Was taken up,

And the question being on concurring in the amendments made in committee of the whole to said bill,

Mr. Barber moved to amend the same by striking out the words "by complaint," in the sixth line of the third section.

Mr. Kelsey moved to amend the amendment by striking out all after the word "thereof" in third line of said third section.

And the question on the adoption of the amendment to the amendment

Having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Alden, Ayres, Colley, Crandall, Delaney, Hastings, Kelsey, Lown, Pike, Roys, Sugden, Thomas, Thorp, and Hobart, (speaker)—14.

Those who voted in the negative, were

Messrs. Barber, Bird, Bowron, Briggs, Brown, Burns, Chase, Colwell, Clark, Crawford, Cross, Dick, Fagan, Flynn, Gillilan, Hazard, Hill, Solon Johnson, Juneau, Kerr, Keuhn, Kimball, King, Leland, Martin, Noble, O'Neal, Parkinson, Phelps, Pierce, Pratt, Reymert, Rockwell, Strong, Toland, Townsend, Turck, Warren, Wasson, Wells, White, Willard, and Young—43.

And the question on the adoption of the amendment,

Having been put,

It was decided in the affirmative.

Mr. Thomas moved to amend said section by adding "and the three assessors, one of whom shall be elected for the term of two years, and two for the term of one year, and thereafter assessors shall be annually elected, and the one having the highest number of votes shall hold his office for two years, and in case of two or more receiving an equal number of votes, they shall meet at the office of the town clerk on the next Monday succeeding their election, between the hours of 2 and 5 o'clock, and determine by lot their respective terms of office.

And the question being on the adoption of said amendment,

Having been put,

It was decided in the negative.

On motion of Mr. Cross,

The assembly adjourned.

SATURDAY January 27th, 1849.

Prayer by the Rev. Mr. Read.

The journal of yesterday was read.

Mr. Delaney presented

The petition of Moses M. Strong asking the legislature to memorialize congress for a grant of land to improve the navigation of the Wisconsin river;

Which, on motion of Mr. Delaney,

Was laid on the table and ordered to be printed.

Mr. Brown presented the account of T. Burns against the state, as commississioner to locate state lands;

Which was referred to the committee on claims.

Mr. Colley presented

The petition of Benjamin Brown and Lucy Ann Brown Leland, of Beloit, Rock county, praying that the name of Lucy Ann Brown Leland be changed to Lucy Ann Brown, and that the same become heir at law to the said Benjamin Brown;

Which, on motion of Mr. Colley,

Was referred to a select committee consisting of Messrs. Colley, Briggs and Chase.

Mr. White presented

The petition of Calvin Warner and 9 others, ministers of the gospel, praying for an alteratien of the law relating to marriage;

Which, on motion of Mr. White

Was referred to a select committee consisting of Messrs. White, Parkinson and Warren.

Mr. Bowron introduced the following resolution, which was adopted, to wit:

Resolved, That the committee on town and county organization be instructed to inquire whether there is any portion of this state not within the bounds of an organized county, and if so to bring in a bill to organize the said portion, or extend the bounds of the county or counties adjoining thereto over it, and also, that they be instructed to examine the bounds of all the northern counties, adjoining the unsettled portions of the state, and bring in a bill bounding them as near as practicable by township and range lines.

Mr. Toland introduced the following resolution, to wit:

Resolved, That the services of the door-keeper are hereby dispensed with.

Mr. Wells moved to amend by adding

"And when the door-keeper shall be so discharged, the sergeant-at arms shall be required to perform one-half of the duties now assigned to the door-keeper."

Mr. King moved a substitute for the said resolution as follows:

Resolved, That the sergeant-at-arms is hereby authorized to discharge the door-keeper whenever he shall consider that his services are not necessary.

And the question being on the adoption of the amendment,

Mr. Roys moved that said resolution and amendments be laid upon the table;

Which was agreed to.

Mr. Turck introduced the following resolution, which was adopted, to wit:

Resolved, That Elder Read be permitted to occupy this hall to-morrow morning at 10 o'clock A. M. for divine service.

Mr. Barber introduced the following resolution, which was adopted, to wit:

Resolved, That 150 copies of the daily slips of the journal of the assembly be printed for the use of the senate and assembly.

Mr. Martin, by leave, introduced

No. 25 (A.) A bill to repeal certain acts therein mentioned;

Which was read the first and second times,

And referred to the committee on the judiciary.

Mr. Noble, from the select committee to whom the subject had been referred, reported

No. 26 (A.) A bill to extend the time for collecting and returning taxes in the town of Taychedah;

Which was read the first and second times, and the printing thereof dispensed with.

On motion of Mr. Daugherty,

The rules first having been suspended for that purpose,

The said bill was read the third time, passed, and the title thereof agreed to.

Mr. Bowron, from the select committee to whom the subject had been referred, submitted a report, which was read as follows, to wit:

The select committee appointed to inquire into the expediency of procuring two large reference maps of the state of Wisconsin of a particular description, would beg leave to

REPORT:

That they have carefully examined the subject referred to them, and agree that it is expedient to procure the said maps for the followin reasons:

1st. That there is now no correct map of the state published embracing the latest surveys.

2d. That the said maps being in manuscript, and not glazed, could, at a small yearly expense, have the future surveys put upon them as the said surveys progressed, thereby enabling members of the legislature to find at a glance whatever place they might wish.

3d. That they would answer all purposes for state use for several years, until the lineal surveys are completed or nearly so.

4th. They being on so large a scale could more easily be made to conform to any alteration of county or town lines, or any other future alterations.

5th. They would form the basis for the publication of a correct state map at some future time.

Your committee would therefore recommend the passage of the following resolution, and ask to be discharged from the further consideration of the subject.

All of which is respectfully submitted.

JOSEPH BOWRON,
Chairman.

January 27th, 1849.

Joint resolution No. 2 (A.) Joint resolution relative to manuscript maps,

Referred to in the foregoing report,

Was read the first and second times.

Mr. Wasson, from the committee on the militia, by leave introduced

No. 27, (A.) A bill to provide for the enrollment of the militia;

Which was read the first and second times.

Mr. Parkinson gave notice that on to-morrow or some future day he would introduce a resolution to rescind a rule of the assembly relating to printing.

Mr. Strong, from the judiciary committee, to whom the subject had been referred, submitted a report, which was accepted, to wit:

The committee on the judiciary, to whom was referred so much of the governor's message as relates to probate courts, and so much as relates to the judiciary; and also, the petition of certain citizens of the village of Southport relating to seduction; and also, the petition of Vernon Tichenor and others relating to the license laws, respectfully

REPORT:

That inasmuch as revisors are now engaged in revising all the general laws of the state, they deem it inexpedient to interfere with such revision unless there is some special reason therefor, and none such appearing in the above case, they recommend that said subject be referred to said revisors.

MARSHALL M. STRONG,
Chairman.

Mr. Strong, from the same committee, to whom had been referred a communication of the county clerk of Walworth county on the marriage license, reported the same back to the assembly and recommended that it is inexpedient that any action be taken thereon; also,

The petition of Oscar Hurlburt and others praying for the passage of a law legalizing the acts of the commissioners of highways of the town of LeRoy, without action, and ask leave to be discharged from the further consideration thereof.

The said report was accepted.

On motion of Mr. Juneau,

The said petition was laid upon the table.

Mr. Strong, from the same committee, to whom had been referred

No. 14 (A.) A bill to amend an act entitled an act concerning the action of ejectment,

Reported the same back to the assembly, recommending the passage thereof without amendment.

Messages from the senate were then taken up, and

No. 15 (S.) a bill to change the name of John Mehan to John Smith,

Was read the first and second times.

A message from the senate by their chief clerk:

"MR. SPEAKER:

I am directed to inform you that the senate has passed

Memorial No. 1 (A.) memorial to congress on the subject of a mail route from the Falls of St. Croix to La Pointe, on Lake Superior;

Without amendment; also,

Memorial No. 3 (A) memorial to congress for a mail route from Prairie la Cross to Prairie du Sac, and

No. 10 (A.) A bill amendatory to an act to provide for the division of the several counties under the county system of government, into towns;

With amendments,

In which the concurrence of the assembly is requested; also,

Bill No. 3 (A.) A bill to organize a school district therein named;

Without amendment,

And the following:

No. 5 (S.) memorial to congress in relation to the establishment of a marine hospital on Rock Island;

No. 15 (S.) A bill to pay Geo. E. Graves the several sums therein named;

In which the concurrence of the assembly is requested;

And have negatived

Memorial No. 2 (A.) A memorial to congress on the subject of a mail route from Waukesha to Port Washington; also,

The senate has adopted the following joint resolution:

Resolved, by the senate (the assembly concurring,) That the committee on claims, of the two houses, be directed to act as a joint committee in the examination of claims;

In which the concurrence of the assembly is requested:

On motion of Mr. Hastings,

The assembly resolved itself into committee of the whole for the consideration of

The joint resolutions in relation to slavery and the slave trade;

Mr. Cross in the chair.

And after some time spent therein the committee rose, and, by their chairman reported progress and asked leave to sit again:

Leave was granted.

On motion of Mr. Wells,

The assembly adjourned until two o'clock, P. M.

TWO O'CLOCK, P. M.

Mr. Kerr, from the committee on enrolled bills reported as follows:

The committee on enrolled bills beg leave to report, that they have this day presented to his excellency the governor for his approval

An act to provide for the custody of persons committed under the authority of the United States,

An act to change the name of Nils Cornelius Gulbrandsen to Nils Cornelius Bronson,

An act to change the name of Archibald Hefflefinger to Archibald Coe, and the names of his three minor children, George, John, and Emeline Hefflefinger to George, John, and Emeline Coe,

An act for the re-appraisal of a school section therein named,

An act to provide for paying Nathaniel F. Hyer for his services as commissioner to locate the university lands,

An act to appropriate to the county of Brown the sum therein named, and

An act to provide the legislature with certain books.

On motion of Mr. Strong,

The assembly resolved itself into the committee of the whole for the further consideration of

The Joint resolutions relating to slavery and the slave trade,

Mr. Chase in the chair.

And after some time spent therein the committee rose and by their chairman reported back to the assembly,

Joint resolutions in relation to slavery and the slave trade,

With amendments;

And ask the concurrence of the assembly therein.

On motion of Mr. Daugherty,

The assembly adjourned until 7 o'clock, P. M.

7 O'CLOCK, P. M.

And the question pending being on concurring in the amendments of the committee of the whole to the said resolutions,

The speaker laid before the assembly the following communication from his excellency the governor, which was read as follows, to wit:

"Executive Department,
Madison, January 23, 1849.

To the assembly:

I have this day approved, signed, and deposited in the office of the secretary of state, acts of the following titles:

An act to change the name of Archibald Hefflefinger to Archibald Coe, and to change the name of his three minor children, George, John and Emeline Hefflefinger, to George, John and Emeline Coe;

An act to change the name of Nils Cornelius Guldbransen to Nils Cornelius Bronson;

An act for the re-apprisal of a school section therein named, and

An act to provide for the custody of persons committed under the authority of the United States.

NELSON DEWEY.

Also, communications from the sheriffs of Jefferson and Rock counties on the subject of prisoners;

Which, on motion of Mr. Burns,

Were referred to the committee on states prison.

On motion of Mr. Barber,

The assembly resolved itself into committee of the whole for the further consideration of

The joint resolutions relative to slavery and the slave trade,

Mr. Brown in the chair.

And after some time spent therein the committee rose and by their chairman reported the said resolutions back to the assembly, with sundry amendments.

And the question on concurring in the first amendment of the committee of the whole, to said resolutions, which is as follows: to wit:

Insert immediately before the last resolution, the following;

Reoslved, That we have learned with pleasure that the House of Representatives of the congress of the United States did, on the 22d day of December last, adopt the following preamble and resolution, and we are pleased that both the representatives from this state voted for the same:

Whereas, The traffic now prosecuted in this metropolis of the republic, in human beings as chattles, is contrary to natural justice and to the fundamental principles of our political system and is notoriously a reproach to our country throughout Christendom, and a serious hindrance to the progress of republican liberty among the nations of the earth, therefore

Resolved, That the committee for the District of Columbia be instructed to report a bill as soon as practicable, prohibiting the slave trade in said District,

Having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Ayres, Barber, Chase, Colwell, Colley, Clark, Hastings, Kerr, King, Lown, Martin, Noble, Page, Phelps, Pratt, Reymert, Strong, Thorp, Townsend, Turck, Warren, Wells, White, Willard and Hobart (speaker)—25.

Those who voted in the negative, were

Messrs. Alden, Bird, Bowron, Briggs, Brown, Burns, Crandall, Crawford, Cross, Delaney, Dick, Fagan, Flynn, Gillilan, Hill, Kimball, Leland, Parkinson, Pierce, Pike, Thomas, Toland, Wasson, and Young,—24.

And the question on the adoption of the second amendment, which was

To amend by striking out the third line in the first resolution,

Having been put,

It was decided in the affirmative.

And the question being on the adoption of the third amendment, which was to substitute for the first resolution the following:

Resolved, by the senate and assembly of the state of Wisconsin, That chattel slavery, as it exists in the several states of the Union, is an institution exclusively under the control of the state governments, and any interference on the part of congress, to suppress or continue its existence in the states, would be an infringement upon the sovereignty of the states and in direct violation of the compact entered into between them.

Resolved, That chattel slavery, whereever it exists, is contrary to natural justice, and destructive of the best interests of civil society; therefore, its extension in the territories of the

United States, should be prohibited by every constitutional means within the power of congress, and all national laws which establish, maintain, or in any way countenance or sanction its existence as a national institution should be immediately repealed.

On motion of Mr. Strong,

The assembly adjourned.

MONDAY, January 29th, 1849.

Prayer by the Rev. Mr. Lord.

The journal of Saturday was read.

Petitions were presented and referred as follows, to wit:

By Mr. Bird:

The petition of D. Mallo and 10 others, of Dane county, praying for the incorporation of a company to build a bridge across the Wisconsin river;

Referred to the committee on roads, bridges, and ferries.

By Mr. Thorp:

The petition of G. W. Willis and 50 others of the town of Paris for the repeal of an act to change the boundaries of the towns of Paris and Bristol, in the county of Racine.

By Mr. Kelsey:

The remonstance of Perry G. Harrington and 47 others against the setting off section 25, T. 3, R. 16, in the county of Walworth;

Severally referred to the committee on town and county organization.

By Mr. Bowron:

The petition of Daniel Mears and 25 others, citizens of St. Croix county, praying for the incorporation of the town of St. James.

By Mr. Strong:

The proceedings of a public meeting of the citizens of Racine asking for a law to authorize said city to aid in the construction of a plank road;

Severally referred to the committee on incorporations.

By Mr. Thomas:

The petition of George Comstock and others for a state road from Merton Mills to Milwaukee;

Referred to the committee on roads, bridges and ferries.

By Mr. Stong:

The claim of Bunner & Stafford for printing; also,

The claim of Wm. L. Utley for executing a pardon;

Referred to the committee on claims.

Mr. Kerr introduced the following resolution, which was adopted to wit:

Resolved, That 1000 additional copies of the report of the board of public works be printed for the use of the members.

Mr. Parkinson introduced the following resolution, which was adopted to wit:

Resolved, That the resolution requiring the printing to be done in octavo form be rescinded.

Mr. Strong, from the judiciary committee, reported

No. 3 (A.) Joint resolution relating to printing the laws;

Which was read the first and second times.

Mr. White, from the select committee to whom the subject had been referred, reported.

No. 28 (A.) A bill to amend an act entitled an act regulating marriages;

Which was read the first and second times,

Mr. Strong, from the committee on the judiciary, submitted the following report, which was accepted to wit:

The committee on the judiciary, having been instructed to give their opinion upon that part of the constitution which provides for the removal of county seats—1st, Whether the vote in the removal can in any case be taken before the legislature shall have fixed by law upon the point to which it is proposed to be removed—2d. Whether the law passed at the last session of the legislature in relation to the county seat of Washington county was in accordance with the provisions of the constitution, respectfully

REPORT:

That such a vote might be taken, but that it would have no other effect than to give information to the legislature upon the particular subject in question, and that the law passed at the last session of the legislature in relation to the county seat of Washington county purported on its face to be merely for the information of the legislature, and as such is not repugnant to the constitution, and that said law can have no other effect.

MARSHALL M. STRONG, Ch'n.

Mr. Strong, from the same committee reported

No. 29 (A.) A bill to cede jurisdiction to the United States, over lands to be occupied as sites for light houses within this state;

Which was read the first and second times.

The message from the senate was then taken up,

And the amendments of the senate to

No. 10 (A.) A bill amendatory to an act to provide for the division of the several counties under the county system of government, into towns; and

Memorial No. 3 (A.) memorial to congress for a mail route from Prairie la Cross to Prairie du Sac,

Were severally concurred in.

No. 5 (S.) Memorial to congress in relation to the establishment of a marine hospital on Rock Island; and

No. 13 (S.) A bill to pay Geo. E. Graves the sevaral sums therein named,

Were severally read the first and second times.

And the question on concurring in the following joint resolution, to wit:

Resolved, by the senate (the assembly concurring,) That the committee on claims, of both houses, be directed to act as a joint committee in the examination of claims;

Having been put,

The said resolution was concurred in.

Mr. White moved that

No. 2 (A.) A bill to authorize the presbyterian church in Platteville, Grant county, to change its name and form of government,

Be taken up,

Which was agreed to.

And the question on concurring in the amendment of the committee of the whole to said bill,

Having been put,

It was decided in the affirmative.

The said bill was then ordered to be engrossed and read the third time.

A message from the senate by their chief clerk:

Mr. SPEAKER:

I am directed to inform you that the senate has passed

No. 1. (A.,) A bill to organize the Kilbourn road district,

With sundry amendments;

In which the concurrence of the assembly is requested.

Also, that the senate has adopted the following joint resolutions:

Resolved, by the senate, (the assembly concurring,) That there be appointed a joint select committee consisting of three from the senate and six from the assembly, to inquire into and ascertain what business it is necessary to act upon at the present session of the legislature, and to report the best feasible plan of bringing such business before the two houses of the legislature, and

Resolved, by the senate, (the assembly concurring,) That there be appointed a joint select committee consisting of two from the senate and four from the assembly to enquire into and examine the accounts and affairs of the late superintendent of public property, so far as they may relate to his acts as a public officer, and report their doings to the two houses of the legislature at its present session. Said committee shall have power to send for persons and papers, and to administer oaths to persons called before them; also,

That the senate has passed

No. 8 (S.) A bill prescribing the manner in which individuals may change their names;

In which the concurrence of the assembly is requested.

No 20 (A.) A bill relating to towns and town officers,

Was then taken up.

And the question on concurring in the amendments made in committee of the whole to said bill

Having been put,

It was decided in the affirmative.

And the question being on ordering said bill, No. 20 (A.) to be engrossed and read the third time,

Mr. Crawford moved to amend the 7th section under the head town meetings, by inserting between the words year and immediately, in the first line, the words, "and in the town ten days;" and after the word meeting, in the second line, the words "with the intention to become a resident thereof;" and to strike out all after the word meeting in the third line.

And the question on the adoption of the amendment,

Having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Ayers, Chase, Colley, Crandall, Crawford, Daugherty, Dick, Fagan, Flynn, Hastings, Hazard, Kelsey, Kerr, Page, Pope, Pratt, Sugden and White—18.

Those who voted in the negative, were

Messrs. Alden, Barber, Bird, Bowron, Briggs, Brown, Burns, Colwell, Clark, Cross, Delaney, Gillilan, Hill, Solon Johnson, Juneau, Keuhn, Kimball, King, Leland, Lown, Martin, Noble, O'Neal, Parkinson, Phelps, Pierce, Rockwell, Strong, Thorp, Toland, Townsend, Turck, Warren, Wells, Willard, and Young, and Hobart, (speaker,)—37.

Mr. Hazard moved to amend the 68th section by striking out in the second line the words "except their own;"

Which was agreed to.

Mr. Hazard moved further to amend said bill by striking out section 73;

Which was agreed to.

Mr. Chase moved to amend section six by striking out all after the word clerk, in the third line and inserting "three assessors, three road commissioners, three school commissioners, one treasurer, so many constables as shall be ordered by the meeting, so many justices of the peace as are by law to be elected in town, one fence viewer in each road district in town, one overseer of highways for each road district in such town, and one sealer of weights and measures, and one collector."

Mr. Hastings moved to amend the amendment by striking out the words "three commissioners of common schools."

Which was disagreed to.

Mr. Daugherty moved to amend by striking out the words "and one collector;"

Which was agreed to.

And the question on the adoption of the amendment offered by Mr. Chase,

Having been pnt,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Alden, Ayres, Burns, Chase, Colwell, Crandall, Delany, Dick, Fagan, Flynn, Gillilan, Solon Johnson, Kelsey, Kerr, Keuhn, Lown, Martin, Page, Parkinson, Phelps, Pope, Strong, Sugden, Thomas, Thorp, Toland, Townsend, Warren, Wasson, Wells, White, and Hobart, (speaker.)—39.

Those who voted in the negative were

Messrs. Barber, Bird, Bowron, Briggs, Brown, Colley, Clark, Crawford, Cross, Daugherty, Hastings, Hazard, Juneau, Kimball, King, Leland, Noble, O'Neil, Pierce, Pratt, Rockwell, Turck, Willard, and Young,—24.

Mr. Delaney moved to amend said section six by adding "Provided, That in those conntles which may be formed into one town, three constables may be elected for each precinct to such town, and as many precincts or places of voting at a town or other election in such town may be appointed by the board of supervisors as they may think proper.

Which was agreed to.

Mr. Thomas moved to amend said bill by adding to section 84 after the word officers in the 2d line, "for four years from and after the first Monday in May next succeeding their election, except when elected to fill a vacancy in office occurring before the expiration of their term, and when elected to fill a vacancy they shall hold during the unexpired portion of such term."

Sec. 85. At the first town meeting held under the provisions of this chapter, there shall be elected in each town four justices of the peace, three of whom shall hold their offices for the terms of two, three, and four years, and one of whom shall hold his office for the term of one year; and thereafter one justice shall be elected annually, who shall hold his office for four years."

Which was disagreed to.

The question being on ordering said bill to be engrossed and read the third time,

On motion of Mr. Brown,

The assembly adjourned until half past two oclock, P. M.

HALF PAST TWO O'CLOCK, P. M.

The question pending being on ordering said bill, No. 20. (A.) to be engrossed and read the third time,

Mr. Crandall moved that the vote of the assembly on the adoption of the amendment of Mr. Chase to said bill be reconsidered;

Which was agreed to.

Mr. Hazard moved to amend the amendment to section six by striking out the word "three,' and inserting the words "one, two, and three," as the town meeting shall determine;

Which was agreed to.

And the question being on the adoption of the amendment as amended,

Having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Alden, Ayres, Bowron, Burns, Chase, Colwell, Delany, Fagan, Flynn, Gillilan, Hill, Solon Johnson, Keuhn, Lown, Martin, Noble, O'Neal, Parkinson, Phelps, Pierce, Reymert, Rickerson, Strong, Sugden, Thomas, Thorp, Toland, Townsend, Wasson, Wells, White, and Hobart, (speaker,)—33.

Those who voted in the negative, were

Messrs. Barber, Bird, Briggs, Brown, Colley, Clark, Crandall, Crawford, Cross, Daugherty, Hastings, Hazard, Juneau, Kelsey, Kimball, King, Leland, Page, Pope, Pratt, Rockwell, Turck, Warren, Willard, and Young,—25.

Mr. King moved to amend section 85 by striking out the word "four" where it occurs in the second line, and insert "two." Strike out "two" where it first occurs, and insert the word "one." And at the end of section 85,

Provided, That any town may determine the number of justices not exceeding four.

Which was disagreed to.

Mr. Strong moved that said bill, No. 20 (A.) be referred to the committee on the judiciary, with instructions to modify the said bill so as to correspond with the amendments which have been adopted by the assembly;

Which was agreed to.

The joint resolutions relative to slavery and the slave trade,

Being in order,

And the question pending being on concurring in the third amendment of the committee of the whole to said resolutions,

Having been put,

It was decided in the affirmative.

Mr. Barber moved that the vote by which the first amendment of the committee of the whole was concurred in be reconsidered;

And the question having been put,

It was decided in the affirmative;

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Alden, Barber, Bowron, Briggs, Brown, Burns, Crandall, Crawford, Cross, Daugherty, Delaney, Dick, Fagan, Gillilan, Hazard, Hill, Solon Johnson, Juneau, Kelsey, Kuehn, Kimball, King, Leland, Lown, Noble, O'Neill, Parkinson, Phelps, Pierce, Rickerson, Rockwell, Thomas, Toland, Townsend, Turck, Warren, Wasson, Young, and Hobart, (speaker.)—39.

Those who voted in the negative were

Messrs. Ayers, Bird, Chase, Colwell, Colley, Clark, Flynn, Hastings, Kerr, Martin, Page, Pope, Pratt, Reymert, Strong, Sugden, Thorp, Wells, White, and Willard,—20.

Mr. Hastings asked leave to withdraw said amendment;

Leave was granted.

Mr. Clark moved that the assembly do now adjourn;

Which was disagreed to.

Mr. Noble moved,

That said resolutions together with all the amendments thereto, be referred to a select committee of five.

Mr. Kerr moved to amend the motion,

By adding that said committee be instructed to report to the assembly this evening at seven o'clock;

Which amendment was accepted by the mover.

And the question on the adoption of the resolution, as modified,

Having been put,

It was decided in the negative.

Mr. Leland moved

That the assembly do now adjourn;

Which was disagreed to.

And the question, being on concurring in the fourth amendment of the committee of the whole,

Which was

To strike out the fourth clause in said resolutions,

On motion of Mr. Strong,

The assembly adjourned until seven o'clock.

SEVEN O'CLOCK, P. M.

The question pending being on concurring in the fourth amendment of the committee of the whole to the said resolutions, which was, to strike out the fourth clause of the resolutions, which was,

" To oppose all legislation on the part of congress which favors the interest of slavery and slave labor, at the expense of freedom and free labor, and to exert their influence to procure such legislation as will be equal and just in its operation upon all sections of the union."

Mr. Thomas demanded the previous question.

Mr. Delaney moved a called of the assembly;

Which was sustained,

And the roll having been called,

Messrs. Bowron, Clark, Cross, Daugherty, Fagan, Meade, Reymert, Roys, Sugden, Vineyard, Wasson, and White were reported absent.

Pending the report of the sergeant-at-arms,

Messrs. Daugherty, Meade, Roys and Vineyard were excused from their attendance.

Mr. Bird moved that the assembly do now adjourn;

Which was disagreed to.

The sergeant-at-arms reported the absentees in attendance.

And the question being,

" Shall the previous question be sustained?"

Having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Alden, Ayres, Bird, Colwell, Colley, Clark, Crandall, Dick, Hastings, Kelsey, Lown, Martin, Page, Phelps, Pope, Pratt, Reymert, Strong, Thomas, Thorp, Townsend, Warren, Wells, White, and Willard—25.

Those who voted in the negative, were

Messrs. Barber, Bowron, Briggs, Brown, Burns, Chase, Crawford, Cross, Delaney, Fagan, Flynn, Gillilan, Hazard, Hill, W. H. Johnson, Solon Johnson, Juneau, Kerr, Keuhn, Kimball, King, Leland, Noble, Nute, O'Neal, Parkinson, Pierce, Rickerson, Rockwell, Toland, Turck, Wasson, Young and Hobart, (speaker)—34.

The question then recurred on concurring in the amendment,

And having been put,

It was decided in the affirmative.

The ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Alden, Barber, Bowron, Briggs, Brown, Burns, Crawford, Cross, Delaney, Fagan, Flynn, Gillilan, Hazard, Hill, W. H. Johnson, Juneau, Kerr, Keuhn, Kimball, King, Leland, Noble, Nute, O'Neal, Parkinson, Pierce, Rickerson, Rockwell, Thomas, Toland, Turck, Wasson, Wells, Young and Hobart, (speaker)—35.

Those who voted in the negative, were

Messrs. Ayers, Bird, Chase, Colwell, Colley, Clark, Crandall, Dick, Hastings, Solon Johnson, Kelsey, Lown, Martin, Page, Phelps, Pope, Pratt, Reymert, Strong, Thorp, Townsend, Warren, White, and Willard—24.

The question then being on concurring in the fifth amendment of the committee of the whole to said resolutions, which was,

Insert between fourth and fifth clauses as follows:

Resolved, That our senators and representatives in congress be requested to use their exertions to procure the passage of a law providing for the organization of some portion of the newly acquired territory from Mexico into a separate territory for the free colored population of the United States, and that they provide that a portion of the public domain so acquired from Mexico, be appropriated so that the proceeds when sold shall be applied as an indemnity to all persons who will free their slaves and send them into such free territory in such a manner as shall be agreed upon between the general government and that of the slave states,

Having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Alden, Barber, Bowron, Briggs, Brown, Burns, Crawford, Cross, Delany, Dick, Fagan, Flynn, Gillilan, Hazard, Hill, W. H. Johnson, Keuhn, Kimball, King, Noble, Nute, O'Niel, Parkinson, Pierce, Pope, Rickerson, Toland, Wasson, Wells, White, Young, and Hobart (Speaker)—32.

Those who voted in the negative were

Messrs. Ayers, Bird, Chase, Colwell, Colley, Crandall, Daugherty, Hastings, Solon Johnson, Kelsey, Kerr, Leland, Lown, Martin, Page, Phelps, Pratt, Reymert, Rockwell, Strong, Thomas, Thorp, Townsend, Turck, Warren, and Willard—26.

Mr. Crawford moved

To amend said resolutions by striking out the three first resolutions, and substitute the following, to wit:

Resolved, by the senate and assembly of the state of Wisconsin, That whereas, the existence of slavery in the District of Columbia has been and ever will be as long as it sustains its present relation to the United States, a source of contention in the national councils, and a subject the tendency of which is to alienate the north from the south; and although congress has clearly the right to abolish slavery in the District of Columbia, yet as the location of Washington city, is remote from the geographical center of our common country; Therefore

Resolved, That our senators in congress be, and they are hereby instructed and our representatives requested to introduce and favor the passage of a law removing the seat of general government to some eligible site in free territory; and to re-cede to the state of Maryland the remaining portion of the District of Columbia.

2nd. And further, to extend the ordinance of 1787 over all territories to be hereafter organized, and so to vote on all questions relating to slavery, that it may become the settled policy of the United States to restrict it to its present limits; and to abolish and discourage its existence wherever congress has the constitutional power.

Mr. Kelsey called for a division of the question.

The speaker decided the question to be divisible.

And the question on striking out

Having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Bird, Bowron, Burns, Crawford, Delaney, Gillilan, Hill, Solon Johnson, Leland, Pierce, Rickerson, Wasson, and Young.—13.

Those who voted in the negative. were

Messrs. Ayers, Barber, Brown, Chase, Cross, Colwell, Colley, Crandall, Daugherty, Dick, Fagan, Flynn, Hastings, Hazard, W. H. Johnson, Kelsey, Kerr, Keuhn, Kimball, King, Lown, Martin, Noble, Nute, O'Niel, Page, Parkinson, Phelps, Pope, Pratt, Reymert, Rockwell. Strong, Thomas, Thorp, Toland, Townsend, Turck, Warren, Wells, White, Willard and Hobart, (Speaker,)—44.

Mr. Crawford moved that the vote by which the assembly, concurred in the amendment of the committee of the whole in striking out the fourth clause in the resolutions, be re-considered;

Which was disagreed to.

Mr. Wells moved to further amend said resolution, by striking out all after the word "resolved," and insert in lieu thereof the following:

"Whereas we deem it the duty of congress as soon as may be to organize the territories of New Mexico and California:

Therefore resolved, That our senators in congress be instructed and our representatives are hereby requested to vote for the incorporation of the Wilmot proviso, in such organic acts; that as the existence of slavery in the district of Columbia is a reproach to our republican form of government, if they act in accordance with the wishes of the people of Wisconsin, they will by their votes aid in the passage of a law for the repeal of all laws sustaining slavery in the District of Columbia, and under no circumstances whatever, so far as their votes may bear upon the subject, should there be added to this Union any more slave states, or any states that can ever become slaves states.

Mr. Hastings called for a division of the question.

The speaker decided the question to be divisible.

And the question on striking out having first been put,

It was decided in the negative.

The question then recurred on the adoption of the resolution as amended,

And having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Alden, Ayres, Barber, Bird, Bowron, Briggs, Brown, Burns, Chase, Colwell, Colley, Crandall, Crawford, Cross, Daugherty, Delaney, Dick, Fagan, Flynn, Gillilan, Hastings, Hazard, Hill, W. H. Johnson, Solon Johnson, Kelsey, Kerr, Kuehn, Kimball, King, Leland, Lown, Martin, Noble, Nute, O'Neal, Page, Parkinson, Phelps, Pierce, Pope, Pratt, Reymert, Rickerson, Strong, Thomas, Thorp, Toland, Townsend, Turck, Warren, Wasson, Wells, White, Willard, Young, and Hobart, (Speaker,)—57.

Mr. Rockwell voted in the negative.

On motion of Mr. Strong,

The assembly adjourned.

TUESDAY, January 30th, 1849.

Prayer by the Rev. Mr. Penman.

The journal of yesterday was read and corrected.

Mr. Daugherty presented the petition of L. H. Parsons and others, on the subject of removing the county seat of Winnebago county.

Mr. W. H. Johnson presented the petition of Asa F. Snel and 42 others, inhabitants of the town of Jefferson, praying to be set off from said town of Jefferson and annexed to the town of Koshkonong in said county;

Which were severally referred to the committee on town and county organization.

Mr. Brown presented the account of Daniel M. Hodges;

Which was referred to the committee on claims.

The speaker laid before the assembly the following communication; to wit:

SECRETARY'S OFFICE, *Iowa City,*
Iowa, January 19th, 1849.

SIR:—Accompanying this, please find a copy of "A memorial to the legislature of the state of Wisconsin," which you will have the kindness to lay before the house of representatives of that state, for their consideration.

I am, sir, very respectfully,
Your obedient servant,
JOSIAH H. BONNEY,
Secretary of State.

To the speaker of house of representatives, of Wisconsin.

Which memorial was read as follows, to wit:

MEMORIAL TO THE LEGISLATURE OF THE STATE OF WISCONSIN.

Your memorialists, the senate and house of representatives of the state of Iowa, being desirous of having a direct, speedy, and safe route, at all seasons of the year, by land, between Dubuque and Milwaukee, a continuation to the Lake Michigan of the proposed railroad from Keokuk to Dubuque, for which road we have asked of congress a donation of land to aid in its construction, would respectfully represent, that the construction of a railroad from a point opposite the city of Dubuque to Milwaukee, will be a link in the chain of railroad from not only Keokuk, but Fort des Moines, Council Bluffs, and the intermediate points.

It is unnecessary for us to state the vast importance of such a road in a commercial point of view. The lead trade alone it is believed, would be sufficient to justify the undertaking, without taking into consideration the fact that this road would open to the lake trade the best portion of this state and a direct communication with the upper Mississippi.

We therefore hope that your honorable body will, at your earliest convenience, take this subject into consideration, and adopt such measures as in your wisdom you may deem the most conducive to the object desired, viz: to secure the speedy construction of the proposed road.

Resolved, By the general assembly of the state of Iowa, That the secretary of state be requested to forward a copy of the foregoing memorial to the president of the senate, and one copy to the speaker of the house of representatives of the legislature of Wisconsin.

SMILEY T. BONHAM,
Speaker of the House of Representatives.
JOHN J. SELMAN,
President of the Senate.

Approved, Jan. 15, 1849.
ANSEL BRIGGS.

On motion of Mr. Briggs,

The said memorial was referred to a select committee, consisting of

Messrs. Briggs, Rickerson, Crandall, Crawford and Thorp.

Mr. Martin introduced the following resolution, to wit:

Resolved, That the seargeant-at-arms be, and he is hereby directed to procure a thermometer to place in this hall so that the fireman may be enabled to keep up a correct temperature.

Mr. Strong moved to amend the same by adding,

" And to cause the windows in this hall to be so fixed that the upper sash can be let down;"

Which amendment was accepted.

And the question on the adoption of the resolution, as modified,

Having been put,

It was decided in the affirmative.

Mr. Kelsey introduced the following resolution, which was adopted, to wit:

Resolved, That the judiciary committee be, and they are hereby, instructed to enquire into and report whether in their opinion the provisions contemplated by section seven, in an act entitled "An act declaring in what cases certain offices shall be deemed vacant, and the manner of filling such vacancies," approved June 29th, 1848, are sufficiently provided for by law, and that said committee report by bill or otherwise.

Mr. Thomas gave notice that on to-morrow, or some future day, he would introduce a bill to abolish all laws regulating license.

Mr. Bowron, by leave, introduced

No. 30, (A.) A bill to incorporate the St. James Manufacturing and Lumbering company, of St. James, Wisconsin;

Which was read the first and second times.

Mr. Hastings introduced the following resolution, to wit:

Resolved, (the senate concurring,) That we have learned with pleasure that the house of representatives of the congress of the United States did, on the 22nd day of December last, adopt the following preamble and resolution, and we are pleased that both the representatives of this state voted for the same:

"Whereas the traffic now prosecuted in this metropolis of the republic, in human beings, as chattels, is contrary to natural justice and to the fundamental principles of our political system, and is notoriously a reproach to our country throughout christendom and a serious hindrance to the progress of republican liberty among the nations of the earth, therefore,

Resolved, That the committee for the District of Columbia be instructed to report a bill as soon as practicable prohibiting the slave trade in said District.

Resolved, That his Excellency the governor, be requested to forward copies of the above resolutions to each of the senators and representatives of this state in congress.

Mr. Delaney moved that said resolution be laid on the table;

Which was disagreed to.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Alden, Ayres, Bowron, Burns, Delany, Gillilan, Hill, Nute, Parkinson, Pierce and Young,—11.

Those who voted in the negative were

Messrs. Barber, Bird, Briggs, Brown, Chase, Colwell, Colley, Clark, Crandall, Cross, Crawford, Daugherty, Dick, Fagan, Flynn, Hastings, Hazard, W. H. Johnson, Solon Johnson, Juneau, Kerr, Keuhn, Kimball, King, Leland, Lown, Martin, Noble, O'Neil, Page, Phelps, Pope, Pratt, Reymert, Rickerson, Rockwell, Strong, Sugden, Thomas, Thorp, Toland, Turck, Warren, Wasson, Wells, White, Willard, and Hobart, (speaker.)—49.

The question was then put upon the adoption of the said resolution,

And was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Alden, Ayres, Barber, Brown, Chase, Colwell, Colley, Clark, Crandall, Crawford, Cross, Daugherty, Dick, Fagan, Flynn, Hastings, W. H. Johnson, Solon Johnson, Juneau, Kelsy, Kerr, Kimball, King, Leland, Lown, Martin, Noble, O'Neil, Page, Phelps, Pope, Pratt, Reymert, Rockwell, Strong, Sugden, Thomas, Thorp, Toland, Warren, Wells, White, Willard and Hobart, (speaker)—45.

Those who voted in the negative, were

Messrs. Bird, Bowron, Briggs, Burns, Delaney, Gillilan, Hazard, Hill, Kuehn, Nute, Parkinson, Pierce, Rickerson, Turck, and Young,—15.

Mr. Crawford introduced the following resolution, to wit:

Resolved, That the judiciary committee be instructed to enquire into the practicability of making a general law whereby all associations may be incorporated by complying with the law without the necessity of a special act, and report by bill or otherwise.

Mr. Strong moved that said resolution be referred to the committee on the report of the revisors:

Which was disagreed to.

And the question being on the adoption of the said resolution,

Having been put,

It was decided in the affirmative.

Mr. Wells introduced the following resolution, which was adopted, to wit:

Resolved, That the judiciary committee be instructed to examine the present homestead exemption law and report as to the propriety of limiting its value to five hundred dollars. and also extending its benefit to the widow or children of any person deceased who shall have died intestate.

Mr. Brown, from the committee on claims, to whom the same had been referred, reported

No. 9, (S.) A bill to appropriate to the county of Crawford the sum therein named; and

No. 14 (S.) A bill to appropriate to J. C. Fairchild the sum therein named;

Back to the assembly without amendments, and recommend their passage; also

No. 18 (S.) A bill to provide for the payment of the commissioners appointed to locate the state lands;

With an amendment.

The said report was accepted and said bill No. 18, (S.) was read the second time.

Mr. Clark, from the committee on roads, bridges and ferries, reported

No. 31, (A.) A bill to authorize the construction of a bridge across Fox river;

No. 32, (A.) A bill to declare the Oconto river a navigable stream;

No. 33, (A.) A bill to authorize Wm. H. Morse to keep and maintain ferries across the St. Croix and Mississippi rivers;

Which were severally read the first and second times.

Mr. Barber introduced

No. 34, (A.) A bill to vacate the town plat of the town of Victory in the county of Dodge;

Which was read the first and second times.

Mr. Strong, from the judiciary committee to whom the subject had been referred, submitted the following report;

Which was adopted, to wit:

The committee on the judiciary, of whom certain inquiries were made respecting the county seat in La Fayette county, respectfully

REPORT.

That by an act passed by the territorial legislature, approved March 11th, 1848, entitled "An act to authorize the voters of La Fayette county to vote for locating the county seat thereof," it was provided that the voters of said county should vote for the permanent location of the county seat on the second Monday of May then next; and in case no choice should be made, another vote should be taken upon the same question at the next annual election. Your committee are informed that at the first vote taken upon said question no choice was made, and that a vote was afterwards taken at the annual election in November last, at which time Shullsburgh received a majority of the votes cast upon that question. Your committee are unanimously of the opinion that the constitution having been adopted and the state admitted in the Union before said last vote was taken, that said vote had no legal effect whatever, and that the said act became entirely inoperative so far as the permanent location of the county seat was concerned, being repugnant to the constitution.

MARSHALL M. STRONG,
Chairman.

Messages from the senate were then taken up, and the amendments of the senate to

No. 1 (A.) A bill to organize the Kilbourn road district,

Were concurred in.

The following resolutions, to wit:

Resolved, By the senate, the assembly concurring, That there be appointed a joint select committee, consisting of three from the senate and six from the assembly, to enquire into and ascertain what business it is necessary to act upon at the present session of the legislature and to report the most feasible plan of bringing such business before the two houses of the legislature.

Resolved, By the senate, the assembly concurring, That there be appointed a joint select committee, consisting of two from the senate and four from the assembly, to enquire into and examine the accounts and affairs of the late superintendent of public property, so far as they may relate to his acts as a public officer, and to report their doings to the two houses of the legislature at its present session. Said committee shall have power to send for persons and papers and to administer oaths to persons called before them,

Were concurred in.

The speaker appointed, as the committee on the part of the assembly, under the first resolution,

Messrs. Cross, Burns, Strong, Crandall, Thomas and Hastings; and under the second,

Messrs. White, Clark, Toland and Pratt.

No. 8, (S.) A bill prescribing the manner in which individuals may change their names,

Was read the first and second times.

On motion of Mr. Bowron,

No. 7, (A.) A bill for a state road from Chippewa Falls by Black river to the Shaurette Mills on the Wisconsin river,

Was taken from the general file and referred to a select committee consisting of

Messrs. Bowron, O'Neal and Leland.

On motion of Mr. Daugherty,

The assembly resolved itself into committee of the whole for the consideration of

No. 18 (S.) A bill to provide for the payment of the commissioners to locate the state lands,

Mr. Clark in the chair.

And after some time spent therein the committee rose and by their chairman reported said bill back to the assembly with an amendment;

Which was concurred in,

And the said bill ordered to be read the third time.

A message from the senate by their chief clerk:

MR. SPEAKER:

I am directed to inform you that the senate has passed

No 11 (A.) A bill to organize the several towns therein named,

Without amendment; also

No. 29, (S.) A bill to appropriate money for the payment of members and officers of the legislature:

In which the concurrence of the assembly is requested.

The speaker laid before the assembly the report of the Regents of the University.

On motion of Mr. Daugherty,

The reading of said report was dispensed with, and the report laid upon the table and ordered to be printed.

Messrs. Meade, Roys and Vineyard were excused from attendance; and

On motion of Mr. Kelsey,

Leave of absence was granted to Mr. Pike.

Messages from the senate were then taken up.

No. 29, (S.) A bill to appropriate money for the payment of members and officers of the legislature,

Was read the first and second times.

Mr. Daugherty moved that all rules be suspended, and that said bill be read the third time now;

Which was agreed to.

The said bill was then read the third time.

And the question, "shall the bill pass,"

Having been put, (three-fifths of the members being present,)

It was decided in the affirmative.

Those who voted in the affirmative were

Messrs. Alden, Ayers, Bird, Colwell, Barber, Bowron, Briggs, Brown, Chase, Colley, Clark, Crandall, Crawford, Daugherty, Dick, Fagan, Flynn, Gillilan, Hazard, Solon Johnson, Kelsey, Kuehn, Kimball, King, Leland, Lown, Martin, Noble, Nute, O'Neill, Page, Parkinson, Phelps, Pierce, Pope, Pratt, Reymert, Rickerson, Rockwell, Strong, Thorp, Toland, Townsend, Turck, Warren, White, Willard, Young and Hobart, (speaker.)—50.

Those who voted in the negative were

Messrs. Burns, Cross, Delaney, Hill, Sugden, Thomas, Wasson and Wells,—8.

The title of said bill was then agreed to.

Mr. Daugherty moved that all rules be suspended, and that

No. 18, (S.) A bill to provide for the payment of the commissioners to locate the state lands,

Be read the third time now; which was disagreed to.

On motion of Mr. King,

The assembly resolved itself into committee of the whole for the consideration of the general file of bills;

Mr. Thorp in the chair.

And after some time spent therein the committee rose and by their chairman reported back to the assembly

Joint resolution No. 2, (A.) Joint resolution relative to manuscript maps;

No. 14 (A.) A bill to amend an act entitled an act concerning the action of ejectment;

No. 16 (A.) A bill declaring certain roads in the town of Shields lawful highways;

No. 18 (A.) A bill concerning the acknowledgement of conveyance of real estate, made out of this state;

No. 19 (A.) a bill to appropriate to William H. Sullivan the sum therein named;

No. 21 (A.) A bill for the payment of the mileage of the members of the legislature;

No. 22 (A.) A bill to legalize the proceedings of a special town meeting in the town of Calumet;

No. 23 (A.) A bill in relation to school district No. 11, in the town of Waukesha;

No. 10 (S.) An act to provide for the laying out a certain road in the counties of Fond du Lac and Winnebago;

No. 13 (S.) A bill to pay Geo. E. Graves the several sums therein named;

No. 15 (S.) A bill to change the name of John Mehan to John Smith;

Memorial No. 5, (S.) Memorial to congress in relation to the establishment of a marine hospital on Rock Island;

Without amendments, and

Joint resolution No. 1, (A.) Resolution relative to maps,

With an amendment;

And reported progress on the general file and asked leave to sit again.

Leave was granted,

Said bills, Nos. 14, 16, 19, 22 and 23, (A.) were severally ordered to be engrossed and read the third time.

Said bills, Nos. 10, 13 and 15, (S.) and memorial No. 5, (S.) were severally ordered to their third reading.

And the question being on ordering said bill No. 21, (A.) to be engrossed and read the third time,

Mr. Daugherty moved that the same be laid on the table;

Which was agreed to.

On motion of Mr. Cross,

Said bill No. 18, (A.) was referred to the committee on the judiciary.

Joint resolution No. 2, (A.) was ordered to be engrossed and read the third time.

The amendments of the committee of the whole to joint resolution No. 1, (A.) were concurred in, and the said joint resolution ordered to be engrossed and read the third time.

Mr. Kerr, from the committee on enrolled bills, reported

No. 3 (A.) A bill to organize a school district therein named; and

Memorial No. 1 (A.) Memorial to congress on the subject of a mail route from the Falls of St. Croix to La Pointe, on Lake Superior;

As correctly enrolled.

The said memorials were thereupon signed by the speaker and transmitted to the senate.

Mr. Hastings, from the committee on engrossed bills, reported as correctly engrossed,

No. 2, (A.) A bill to authorize the Presbyterian church in Platteville, Grant county, to change its name and form of government.

On motion of Mr. Crawford,

The assembly adjourned.

WEDNESDAY, January 31, 1849.

Prayer by the Rev. Mr. Lord.

The journal of yesterday was read.

Petitions were presented and referred as follows, to wit:

By Mr. Clark:

The petition of 34 citizens of Winnebago county for a state road therein named.

By Mr. Phelps:

A petition asking for the establishment of a state road from the village of Grafton to the village of West Bend, in Washington county;

Referred severally to the committee on roads, bridges, and ferries.

By Mr. Kelsey:

The remonstrance of Levi Lee and 50 others, against the laying off section 25, T. 3, R. 16, in the town of Sugar Creek, in the county of Walworth, and attaching the same to the town of Elk Horn, in said county.

By Mr. Gillilan:

The petition of Robert Peck and 165 others, of Pleasant Valley, in Grant county, praying to be set off in a separate town.

By Mr. Barber.

The petition of Joseph Hall and others of the towns of Beaver Dam and Lowell, in Dodge county, to be set off to Fairfield;

Referred severally to the committee on town and county organization.

By Mr. Crawford:

The petition of D. Johnson and 28 others on the subject of quack doctors;

Which was referred to a select committee consisting of Messrs, Crawford, Chase, and Roys.

By Mr, Leland:

The petition of Daniel Baxter relative to his claim against the state for work done on the capitol;

Which was referred to a select committee consisting of Messrs. Leland, Cross, Delany, Burns, and Thomas.

By Mr. Martin:

The account of J. and W. H, Cary;

Referred to the committee on claims.

By Mr. Barber:

The petition of Madison Miller of the town of Hubbard, Dodge county, for an act to incorporate the "Iron Ridge iron company," for the purpose of mining and manufacturing iron;

Referred to the committee on incorporations, with instructions, (if in their opinion the prayer should be granted,) to report a special act of incorporation.

By Mr. Pope:

The petition of A. T. Colburn and seven others, millers of this state, asking for the enactment of a law to exempt millers from liabilities to perform military duty, to serve as jurors, and from all poll taxes;

Which was referred to a select committee consisting of Messrs. Pope, Solon Johnson, and Hill.

By Mr. Turck:

The petition of Jacob Snider and 5 others, praying for a charter for the German United Lutheran Reform Society:

Referred to the committee on incorporations.

Mr. Chase introduced the following resolution, to wit:

Resolved, That a committee of 5 be appointed to inquire into the expediency of loaning the money derived from the school lands to a company to construct a rail road from Milwaukee to the Mississippi."

And the question being on its adoption,

Having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Alden, Bowron, Burns, Chase, Cotton, Clark, Flynn, Gillilan, Kerr, Page, Pierce, Pope, Wells, and White, —14.

Those who voted in the negative, were

Messrs. Ayers, Barber, Briggs, Brown, Colwell, Colley, Crandall, Crawford, Cross, Delaney, Dick, Fagan, Hastings, Hazard, Hill, W. H. Johnson, Solon Johnson, Juneau, Kelsey, Keuhn, Kimball, King, Leland, Lown, Martin, Noble, Nute, O'Niel, Parkinson, Phelps, Pratt, Reymert, Rickerson, Rockwell, Roys, Strong, Sugden, Thomas, Thorp, Toland, Townsend, Turck, Warren, Wasson, Willard, Young, and Hobart, (Speaker,)—47.

Mr. Martin introduced

No. 35 (A.) A bill to repeal an act establishing a municipal court in the city of Milwaukee;

Which was read the first and second times,

And referred to the committee on corporations.

Mr. Reymert introduced the following resolution, which was adopted, to wit:

Resolved, That the use of this hall be granted to Mr. Grant this evening for the purpose of giving a concert.

The report of the committee to whom had been referred the petition of Wm. Duane Wilson, in relation to the magnetic telegraph,

Was, on motion of Mr. Wells,

Taken up and referred to the committee of the whole.

Mr. Clark, from the committee on roads, bridges, and ferries, reported

No. 36 (A.) A bill to authorize the construction of a dam across the Milwaukee river.

Mr. W. H. Johnson, from the committee to whom the petitions therefor had been referred, reported

No. 37 (A.) A bill to authorize Cyrus Curtis, his associates and assigns, to build and construct a dam across Rock river, and

No. 38 (A.) A bill to authorize the city of Racine to aid in the construction of a plank road;

Which said bills were severally read the first and second times.

A message from the senate by their chief clerk:

MR. SPEAKER:

I am directed to inform you that the senate has appointed to act as a joint committee on the part of the senate with a similar committee on the part of the assembly, on

Resolution respecting the business of the present session of the legislature,

Messrs. Kinney, Norton, and Cothren; and on

Resolution respecting accounts of superintendent of public property,

Messrs. Smith and Willard.

Mr. Bowron, from the committee to whom had been referred

No. 17 (A.) A bill for a state road from Chippewa Falls, by Black River, to the Shaurette Mills, on the Wisconsin river,

Reported said bill back to the assembly with amendments.

The said report was accepted.

Mr. Turck, from the committee on agriculture and maufactures submitted the following report, which was accepted, to wit:

The committee on agriculture and manufactures, to whom was referred the petition of E. S. Comstock and others for a reduction of miller's tolls would report the same back and recommend no action in the matter, and ask to be discharged from the further consideration of the subject.

PETER TURCK,
Chairman.

Mr. Parkinson introduced the following resolution, to wit:

Resolved, That the seargeant-at-arms be directed to remove the clerk's desk and speaker's desk from the platform under the speaker's chair, immediately after the adjournment of the house to day.

Mr. Brown moved that said resolution be laid on the table,

Which was agreed to,

Mr. Strong, from the committue on the judiciary, submitted the following report, which was accepted, to wit:

The judiciary committee, having been instructed to inquire into the practicability of making a general law whereby all associations may be incorporated by complying with the law, without the necessity of a special act, respectfully

REPORT:

That a great deal of special legislation on the subject of corporations might undoubtedly be saved by general laws. By our present statutes religious societies can incorporate themselves, without any special act of legislation. Such general laws must necessarily vary according to the objects of the association; for instance, academies, colleges, plank roads, railroads, manufacturing establishments, would each require entirely different provisions. The enactment of such general laws has been a subject of much discussion in the eastern states for several years past, and is one of the provisions of the present constitution of the state of New York, but your committee are not aware that as yet any great improvement in legislation has been made in that direction. They deem it most advisable for the present legislature to devote all the time which can be spared from local legislation, to the reports of the revisers, than to endeavor to originate new laws of a general character.

MARSHALL M. STRONG,
Chairman.

Also, the following further report, which was accepted, to wit:

The judiciary committee, having been instructed to report whether any alteration in the act to exempt a homestead from forced sale, is necessary to secure its benefits to residents, not natives of the United States, respectfully report that no alteration is necessary for that purpose.

MARSHALL M. STRONG,
Chairman.

Mr. Reymert introduced

No. 39 (A.) A bill repealing the law which makes it penal not to observe the Sabbath:

Which was read the first and second times.

On motion of Mr. Noble,

Leave of absence for one week was granted to Mr. Daugherty.

No. 2 (A.) A bill to authorize the presbyterian church in Platteville, Grant county, to change its name and form of government;

No. 10 (S.) An act to provide for laying out a certain road in the counties of Fond du Lac and Winnebago;

No. 15 (S.) a bill to change the name of John Mehan to John Smith;

No. 5 (S.) Memorial to congress in relation to the establishment of a marine hospital on Rock Island;

Were severally read the third time, passed, and the titles thereof agreed to.

No. 13 (S.) A bill to pay Geo. E. Graves the sevaral sums therein named,

Was read the third time,

And the question,

"Shall the bill pass?"

Having been put, (three-fifths of the members being present,

It was decided in the affirmative.

Those who voted in the affirmative, were

Messrs. Alden, Ayres, Barber, Bird, Bowron, Briggs, Brown, Burns, Chase, Colwell, Colley, Cotton, Clark, Crandall, Crawford, Cross, Delaney, Dick, Fagan, Flynn, Gillilan, Hastings, Hazard, Hill, W. H. Johnson, Solon Johnson, Juneau, Kelsey, Kerr, Keuhn, Kimball, King, Leland, Lown, Martin, Noble, Nute, O'Neal, Page, Parkinson, Phelps, Pierce, Pope, Pratt, Reymert, Rickerson, Rockwell, Roys, Strong, Sugden, Thomas, Thorp, Toland, Townsend. Warren, Wasson, White, Willard, Young and Hobart, (speaker)—60.

None in the negative.

No. 18 (A.) A bill to provide for the payment of the commissioners to locate the state lands,

Was read the third time,

And the question

"Shall the bill pass?"

Having been put, (three fifths of the members being present,)

It was decided in the affirmative.

Those who voted in the affirmative, were

Messrs. Ayers, Barber, Bird, Bowron, Briggs, Brown, Chase, Colley, Cotton, Clark, Crandall, Crawford, Cross, Delaney, Dick, Fagan, Flynn, Gillilan, Hastings, Hazard, Hill, W. H. Johnson, Juneau, Kelsey, Keuhn, Kimball, King, Leland, Lown, Martin, Noble, Nute, O'Neal, Page, Parkinson, Phelps, Pope, Pratt, Reymert, Rickerson, Rockwell, Roys, Strong, Sugden, Thorp, Toland, Townsend, Turck, Warren, White, Willard, Young, and Hobart, (speaker)—53.

Those who voted in the negative, were

Messrs. Burns, and Pierce,—2.

Mr. Kerr, from the committee on enrolled bills, reported

No. 29 (S.) A bill to appropriate money for the payment of members and officers of the legislature;

No. 4 (A.) A bill to provide for laying out certian roads therein named;

No. 3, A memorial to congress for a mail route from Prairie la Cross to Madison, in the county of Dane;

No. 10 (A.) A bill amendatory to an act to provide for the division of the several counties under the county system of government, into towns;

As correctly enrolled.

The said bills and memorial were thereupon signed by the speaker and transmitted to the governor.

Mr. Hastings, from the committee on engrossed bills, submitted the following report:

The committee on engrossed bills would report as correctly engrossed the following, viz:

No. 22 (A.) A bill to legalize the proceedings of a special town meeting in the town of Calumet;

No. 14 (A.) A bill to amend an act entitled an act concerning the action of ejectment;

No. 19, (A.) A bill to appropriate to W. H. Sullivan the sum therein named;

No, 23 (A.) A bill in relation to school district number eleven, in the town of Waukesha;

No. 16 (A.) A bill declaring certain roads in the town of Shields, lawful highways;

No. 1, (A.) Joint resolution relative to maps.

No. 2, (A.) Joint resolution relative to manuscript maps.

Respectfully submitted on behalf of the committee.

SAM'L. C. HASTINGS.

January 31, 1849.

No. 14, (A,) A bill to amend an act entitled "an act concerning the action of ejectment;"

No. 16, (A.) A bill declaring certain roads in the town of Shields lawful highways;

No. 22, (A.) A bill to legalize the proceedings of a special town meeting in the town of Calumet;

No. 23, (A.) A bill in relation to school district No. 11, in the town of Waukesha;

Were severally read the third time, passed, and the titles thereof agreed to.

No. 1, (A.) Joint resolution relative to maps;

Was read a third time.

Mr. Cross moved that the blank in said resolution be filled by the word "sixty;"

Which was disagreed to.

Mr. Roys moved that said resolution be laid upon the table;

Which was agreed to.

No. 19, (A.) A bill to appropriate to William H. Sullivan the sum therein named;

Was read the third time.

And the question, "shall the bill pass",

Having been put, (three fifths of the assembly being present,)

It was decided in the affirmative.

Those who voted in the affirmative, were

Messrs. Alden, Ayers, Barber, Bird, Briggs, Brown, Chase, Colley, Cotton, Clark, Crandall, Crawford, Cross, Delany, Dick, Fagan, Flynn, Gillilan, Hastings, Hazard, W. H. Johnson, Solon Johnson, Juneau, Kelsey, Kerr, Keuhn, Kimball, King, Leland, Lown, Martin, Noble, Nute, O'Niel, Page, Parkinson, Phelps, Pierce, Pope, Pratt, Reymert, Rickerson, Rockwell, Strong, Sugden, Thomas, Thorp, Toland, Townsend, Turck, Wasson, Wells, White, Willard, Young, and Hobart (Speaker)—56.

Mr. Hill voted in the negative.

The speaker laid before the assembly a communication from the attorney general of the state, in answer to a resolution relative to the county seat of La Fayette county;

Which, on motion of Mr. Parkinson,

Was laid upon the table, and ordered to be printed.

Also, a communication of the sheriff of Sauk county, in answer to a resolution of the assembly relative to prisoners;

Which, on motion of Mr. Barber,

Was referred to the committee on state's prison.

No. 2, (A,) Joint resolution relative to manuscript maps;

Was read a third time.

Mr. Bowron asked the unanimous consent of the assembly to amend the said resolution by striking out the words "the senate concurring," and inserting in lieu thereof the words, "by the senate and assembly;"

Which was disagreed to.

And the question on the passage thereof, having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Alden, Barber, Bird, Bowron, Briggs, Brown, Crawford, Delaney, Fagan, Gillilan, Hastings, Hazard, Hill, Juneau, Kelsey, Keuhn, Kimball, Leland, Lown, Martin, Noble, O'Neal, Page, Parkinson, Phelps, Pierce, Pratt, Reymert, Rickerson, Roys, Thomas, Toland, Young, and Hobart, (speaker,)—34.

Those who voted in the negative were

Messrs. Chase, Colley, Cotton, Clark, Crandall, Cross, Dick, Flynn, W. H. Johnson, Solon Johnson, Kerr, King, Nute, Pope, Rockwell, Strong, Sugden Thorp, Townsend, Turck, Warren, Wells, White and Willard.—24.

Mr. Strong introduced the following resolution was was adopted, to wit:

Resolved, That the chief clerk be directed to request the senate to return to this house the bill providing for the payment of the members and officers of the legislature.

A message from the senate, by their chief clerk.

MR. SPEAKER: I am directed according to request of the senate to return to the assembly,

No. 29, (S.) "A bill to appropriate money for the payment of members and officers of the legislature."

On motion of Mr. Brown,

The assembly resolved itself into committee of the whole for the consideration of the general file of bills,

Mr. W. H. Johnson in the chair.

And after some time spent therein the committee rose and by their chairman reported

No. 8, (S.) A bill to prescribe the manner in which individuals may change their names;

No. 9 (S.) A bill to appropriate to the county of Crawford the sum therein named;

No. 14 (S.) A bill to appropriate to J. C. Fairchild the sum therein named;

Back to the assembly without amendments. And

Reported progress on the general file, and asked leave to sit again.

Leave was granted.

On motion of Mr. Barber, said bill

No. 8, (S.) A bill prescribing the manner in which individuals may change their names;

Was laid upon the table.

No. 9, (S,) and No. 14, (S.)

Were then severally ordered to their third reading.

Mr. Delaney moved

That the memorial of Moses M. Strong be taken up, and referred to the committee on internal improvements;

Which was agreed to.

On motion of Mr. Rickerson,

The assembly adjourned until half past two P. M.

HALF PAST TWO O'CLOCK, P. M.

Messages from the senate were then taken up.

Mr. Brown moved that the vote of yesterday by which

No. 29, (S.) A bill to appropriate money for the payment of members and officers of the legislature,

Be re-considered;

Which was agreed to.

Mr. Strong moved that the vote of yesterday by which said bill

No. 29, (S.) was ordered to be read the third time, be reconsidered;

Which was agreed to.

Mr. Brown moved to amend the said bill as follows:

Amend the first section by striking out all after the word "stationery," in the fifth line, to, and including the word "mileage," in the 7th line, and inserting the following, to wit:

"And so much money as is necessary to pay the mileage of the lieutenant governor and members of the senate and assembly, to be paid by the state treasurer upon the certificates to its members, of the presiding officer and chief clerk of each branch of the legislature respectively, certifying the number of miles for which each member is entitled to draw traveling fees; and the sum of fifty three dollars to the lieutenant governor and to each member of the senate and assembly, to apply towards paying them for their services during the present session of the legislature."

Add a new section as follows, to wit:

"All laws heretofore passed, requiring warrants to be drawn upon the treasurer of this state, and making it his duty to pay out money from the treasury only upon such warrants, are hereby repealed: Provided, however, it shall be his duty to pay such warrants as have heretofore been issued in pursuance of law, but in paying the same, he shall give no priority of payment to one over another, nor to any warrants over appropriations made by law."

Add another section, as follows, to wit:

"Whenever any money shall be appropriated to any person by an act of the legislature, the treasurer shall pay the same to him without any other authority whatever, and take duplicate receipts therefor, and he shall pay out the moneys in the treasury in no other manner except for the warrants above specified."

And the question having been put,

It was decided in the affirmative.

And the question, "shall the bill pass?"

Having been put, (three fifths of the assembly being present,)

It was decided in the affirmative.

Those who voted in the affirmative, were

Messrs. Alden, Ayres, Bird, Brown, Bowron, Briggs, Chase, Colwell, Colley, Clark, Crandall, Crawford, Dick, Fagan, Flynn, Hastings, Hazard, Hill, W. H. Johnson, Juneau, Kelsey, Kerr, Keuhn, Kimball, Leland, Lown, Martin, Noble, Nute, O'Neal, Page, Parkinson, Phelps, Pierce, Pope, Pratt, Reymert, Rickerson, Roys, Strong, Thorp, Toland, Townsend, Turck, Warren, Willard, Young and Hobart, (speaker,)—48.

Those who voted in the negative, were

Messrs. Barber, Cotton, Cross, Delaney, Gillilan, King, Sugden, Wasson and Wells,—9.

The title of said bill was then agreed to.

Mr. Kuehn, introduced the following resolution, to wit:

Resolved, That the committee on the judiciary be and are hereby instructed to inquire into and report to this assembly as to the expediency of the enactment of a law during the present session of the legislature, abolishing all laws for the collection of debts.

Mr. Strong moved to refer the said resolution to a select committee;

Which was disagreed to.

Mr. Kelsey moved that the same be referred to the committee on charitable and religious institutions;

Which was disagreed to.

Mr. Delaney moved to substitute the following for the said resolution:

Resolved, That it is inexpedient to abolish the laws for the collection of debts.

Mr. Roys moved that the same be laid upon the table;

Which was disagreed to.

Mr. Strong moved that the resolution and amendments be postponed for two weeks;

Which was agreed to.

Mr. Hastings introduced the following resolution, to wit:

Resolved, That no granting the use of this hall for lectures, concerts, or for any other purpose, shall be understood as authorizing ony one to place any obstacle in the way of any member of this body to, and to the use of his desk in the hall.

Mr. Roys moved that said resolution be laid on the table;

Which was agreed to.

Mr. Roys introduced the following resolution, which was adopted, to wit:

Resolved, That one thousand copies of the report of the Regents of the University be printed, and that said copies be equally distributed among the members of both houses of the legislature.

On motion of Mr. Strong,

The assembly resolved itself into committee of the whole for the consideration of the general file of bills,

Mr. Toland in the chair.

After some time spent therein the committee rose, and by their chairman, reported

No. 24 (A.) A bill to extend the boundaries of the county of Marquette;

No. 28 (A.) A bill to amend an act relating to marriages;

Without amendments, and

No. 27, (A.) A bill to provide for the enrollment of the militia;

With an amendment,

And reported progress on the general file of bills, and asked leave to sit again.

Leave was granted.

And the question being on ordering said bill No. 24, (A.) to be engrossed and read the third time.

Mr. Clark moved that said bill be referred to the committee on town and county organization;

Which was agreed to.

And the question being on ordering said bill No. 28, (A.) to be engrossed and read the third time,

Mr. Strong moved that the said bill be referred to the committee on the judiciary;

Which was agreed to.

And the question being on concurring in the amendment of the committee of the whole to said bill No. 27, (A.) which was to strike out the enacting clause,

And having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Ayers, Chase, Crandall, Hastings, Hazard, Kelsey, Kerr, Lown, Martin, Page, Pope, Pratt, Reymert, Rockwell, Strong, Thomas, Thorp, Turck, and Willard,—19.

Those who voted in the negative, were

Messrs. Barber, Bird, Bowron, Briggs, Brown, Burns, Colwell, Cotton, Clark, Cross, Crawford, Delaney, Dick, Fagan, Flynn, Gillilan, Hill, W. H. Johnson, Solon Johnson, Juneau, Keuhn, Kimball, King, Leland, Noble, Nute, O'Niel, Parkinson, Phelps, Pierce, Rickerson, Roys, Sugden, Toland, Townsend, Warren, Wasson, Wells, Young, and Hobart, (Speaker,)—40.

Mr. Wasson moved that the further consideration of said bill be postponed for one week;

Which was agreed to.

A message from the senate by their chief clerk:

MR. SPEAKER:

I am directed to inform you that the senate has passed

No 11 (A.) A bill to organize the several towns therein named;

With an amendment,

In which the concurrence of the assembly is requested.

Also, the senate has concurred in the amendments of the assembly to

No. 18, (S.) A bill to provide for the payment of the commissioners appointed to locate the state lands.

On motion of Mr. Barber,

The message from the senate was taken up;

And the amendment of the senate to said bill No. 11, (A.) was concurred in.

On motion of Mr. Strong,

The assembly resolved itself into committee of the whole for the consideration of the general file of bills,

Mr. Strong in the chair.

And after some time spent therein the committee rose and by their chairman reported back to the assembly

No. 17 (A.) A bill for a state road from Chippewa Falls, to the Shaurette Mills, on the Wisconsin river; And

No. 29, (A.) A bill to cede jurisdiction to the United States over lands to be occupied as sites for light houses within this state;

Without amendments. Also,

No. 3, (A.) Joint resolution relating to printing the laws,

With amendments.

The amendments of the committee of the whole to the said joint resolution were concurred in.

And the said bills No. 17 and 29, and the said joint resolution No. 3, (A.)

Were severally ordered to be engrossed and read a third time.

Mr. Townsend, by leave gave notice that on to-morrow or some future day, he would ask leave to introduce

A bill to organize the town of Buena Vista, in Winnebago county; also

A bill to amend an act of the last session so as to limit the present term of the board of public works to the middle of February next.

Mr. Strong, from the judiciary committee, submitted the following report, which was accepted, to wit:

The judiciary committee having been instructed to examine the present homestead exemption law and report as to the propriety of limiting its value to five hundred dollars, and also extending its benefits to the widow or children of any person deceased, who have died intestate, respectfully

REPORT:

That they have examined said law, and find nothing in it relative to the propriety of limiting the value of the homestead to any amount. Your committee belive that the widow and children of persons who have deceased intestate have stronger claims to the benefit of such exemption than the debtor himself.

MARSHALL M. STRONG,
Chairman.

Mr. Delaney, by leave, introduced

No. 40, (A.) A bill to prevent obstructions of the Wisconsin river and its tributary streams;

Which was read the first and second times.

Mr. Colley, from the select committee, to whom the subject had been referred, by leave, reported

No. 41, (A.) A bill to change the name of Lucy Ann Brown Leland to Lucy Ann Brown, and the same be made heir at law of Benjamin Brown.

Mr. Strong moved that

No. 8, (S.) A bill prescribing the manner in which individuals may change their names,

Be referred to the committee on the judiciary;

Which was agreed to.

Mr. Sugden presented the petition of A. E. Elmore and 78 others, for land limitation, &c., &c.; which

On motion of Mr. Sugden,

Was referred to the committee to whom had been referred.

that part of the governor's message relating to homestead exemption.

Mr. Strong, from the judiciary committee, to whom the same had been referred, reported

No. 8, (S.) A bill prescribing the manner in which individuals may change their names;

Without amendment.

And moved that the further consideration thereof be indefinitely postponed;

Which was agreed to.

Mr. Hastings introduced the following resolution, to wit:

Resolved, That the seargeant-at-arms be directed to procure a suitable and convenient place for the use of the engrossing clerk of this house, that he may be enabled to complete the writing now in his hands necessary to be done this evening, that the business of the house may not be delayed to-morrow.

Mr. Strong moved to amend, by striking out all after the word "resolved," and insert,

"That the use of the assembly hall, after this evening, during the evenings of the session be not granted to any person or persons whomsoever, except to members;"

Which was agreed to.

And the question upon the adoption of the resolution as amended,

Having been put,

It was decided in the affirmative.

Mr. Kelsey introduced the following resolution, to wit:

Resolved, by the assembly, (the senate concurring,) That the legislature adjourn on the second Monday of February next, *sine die.*

And the question on the adoption of said resolution,

Having been put,

It was decided in the negative.

On motion of Mr. Thorp,

The assembly adjourned.

THURSDAY, February 1st, 1849.

Prayer by the Rev. Penman.

The reading of the journal of yesterday was dispensed with.

Mr. Strong introduced the following resolution, which was adopted, to wit:

Resolved, By the senate and assembly, That the governor be requested to cause the basement story of the capitol to be cleared of wood, to be thoroughly cleansed, and the ground to be sprinkled with lime.

Mr. Hill introduced the following resolution, to wit:

Resolved, That whereas a certain company located in this state under the name and style of the "Wisconsin Marine and Fire Insurance Company," are, and for a long time have been exercising banking powers and privileges, contrary to, and in direct violation of a law of the late territory of Wisconsin, now in force in this state, therefore the attorney general be, and he is hereby requested to give his opinion as to the necessary and proper steps to be taken in order that said "Wisconsin Marine and Fire Insurance Company," may be restrained from further violating said law, and punished for violations of the said law heretofore committed.

And the question on the adoption of said resolution,

Having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Ayres, Barber, Burns, Delaney, Gillilan, Hill, Kuehn, Kimball, King, Leland, Noble, Nute, O'Neal, Parkinson, Phelps, Pierce, Pratt, Rickerson, Roys, Wasson, Young, and Hobart, (Speaker,)—22.

Those who voted in the negative were

Messrs. Bird, Bowron, Briggs, Brown, Chase, Colwell, Colley, Crandall, Crawford, Cross, Dick, Fagan, Flynn, Hastings, Hazard, W. H. Johnson, Solon Johnson, Juneau, Kelsey, Lown, Martin, Page, Pope, Reymert, Strong, Sugden, Thorp, Toland, Turck, Warren, White, and Willard,—34.

Mr. Townsend presented the remonstrance of 430 citizens of Winnebago county against any action in relation to to the county seat of said county ;

Which was referred to the committee on town and county organization.

Mr. Roys, from the committee on town and county organization, reported

No. 42, (A.) A bill to change the boundary of the towns of Jefferson and Koshkonong, in the county of Jefferson ;

Which was read the first and second times.

Mr. Clark, from the committee on roads, bridges and ferries, reported

No. 43, (A.) A bill to incorporate the "Harazthy Bridge Company ;"

Which was read the first and second times.

Mr. Hastings, from the committee on engrossed bills, reported the following bills as correctly engrossed:

No. 3 (A.) Joint resolution relating to printing the laws;

No. 17, (A.) A bill for a state road from Black river to the Shaurette Mills on the Wisconsin river ; and

No. 29, (A.) A bill to cede jurisdiction to the United States over lands to be occupied as sites of light-houses within this state.

No. 9, (S.) A bill to appropriate to the county of Crawford the sum therein named,

Was read the third time.

And the question

"Shall the bill pass?"

Having been put, (three fifths of the members being present,)

It was decided in the affirmative.

Those who voted in the affirmative, were

Messrs. Ayers, Barber, Bowron, Briggs, Brown, Burns, Colley, Cotton, Clark, Crawford, Cross, Delaney, Dick, Fagan, Flynn, Hastings, Hazard, W. H. Johnson, Juneau, Kelsey, Kerr, Keuhn, Kimball, King, Leland, Lown, Martin, Nute, O'Neal, Page, Parkinson, Phelps, Pierce, Pope, Pratt, Reymert, Rickerson, Rockwell, Roys, Strong, Sugden, Thorp, Toland, Townsend, Turck, Warren, Wells, White, Willard, Young, and Hobart, (speaker)—51.

Those who voted in the negative, were

Messrs. Bird, Chase, Crandall, Gillilan, Hill, and Wasson —6.

And the title of said bill was then agreed to.

No. 3, (A.) Joint resolution relating to printing the laws; and

No. 29, (A.) A bill to cede jurisdiction to the United States over lands to be occupied as sites for light-houses within this state,

Were severally read the third time, passed, and the titles thereof agreed to.

No. 17, (A.) A bill for a state road from Chippewa Falls by Black river to the Shaurette Mills on the Wisconsin river,

Was read the third time.

Mr. O'Neil, with the unanimous consent of the assembly, moved to amend the said bill, by striking out the word "Chippewa," in the second section;

Which was agreed to.

No. 14, (S.) A bill to appropriate to J. C. Fairchild the sum therein named,

Was read the third time.

And the question, "shall the bill pass?"

Having been put, (three-fifths of the assembly being present,)

It was decided in the affirmative.

Those who voted in the affirmative, were

Messrs. Ayres, Barber, Bird, Briggs, Brown, Burns, Chase, Colwell, Colley, Clark, Crandall, Crawford, Cross, Delany, Dick, Fagan, Flynn, Gillilan, Hastings, Hazard, W. H. Johnson, Solon Johnson, Juneau, Kelsey, Kerr, Keuhn, Kimball, King, Leland, Lown, Martin, Nute, O'Neal, Page, Parkinson, Phelps, Pierce, Pratt, Reymert, Rickerson, Rockwell, Roys, Strong, Sugden, Thorp, Toland, Townsend, Turck, Warren, Wasson, Wells, White, Willard, Young and Hobart, (speaker,)—56.

Those who voted in the negative, were

Messrs. Bowron, and Hill,—2.

The title of said bill was then agreed to.

On motion of Mr. Brown,

The assembly resolved itself into committee of the whole for the consideration of the general file of bills,

Mr. Delaney in the chair.

And after some time spent therein the committee rose, and by their chairman, reported back to the assembly,

No. 31, (A.,) A bill to authorize the construction of a bridge across Fox river,

With sundry amendments, and reported progress on the general file and asked leave to sit again.

Leave was granted.

The amendments of the committee of the whole to said bill No. 31, (A.)

Were concurred in.

And the said bill ordered to be engrossed and read the third time.

Mr. Barber introduced the following resolution, to wit:

Resolved, That the printer of the state be directed to cause the drawings accompanying the report of the Regents of the University, of the proposed university buildings, to be engraved so that it can be struck off so as to accompany the report of the regents, ordered to be printed.

And the question on its adoption,

Having been put,

It was decided in the negative.

On motion of Mr. Solon Johnson,

The assembly adjourned until half past two, P. M.

HALF PAST TWO O'CLOCK, P. M.

Mr. Kerr, from the committe on enrolled bills, reported

No. 15 (S.) A bill to change the name of John Mehan to John Smith;

No. 18 (S) A bill to provide for the payment of the commissioners appointed to locate the state lands;

No. 10 (S.) An act to provide for laying out a certain road in the counties of Fond du Lac and Winnebago;

No. 9, (S.) A bill to appropriate to the county of Crawford the sum therein named;

No. 14, (S.) A bill to appropriate to J. C. Fairchild the sum therein named; and

No. 13, (S.) A bill to pay Geo. E. Graves the several sums therein named;

As having been correctly enrolled.

A message from the senate by their chief clerk:

MR. SPEAKER:

I am directed to inform you that the senate has passed

No. 33, (S.) A bill to appropriate moneys to certain persons therein named;

In which the concurrence of the assembly is requested.

The message from the senate was taken up, and the said bill No. 33, (S.)

Was read the first and second times.

Mr. Brown moved that all rules be suspended and that the said bill be read the third time now;

Which was agreed to.

The said bill was then read the third time.

And the question,

"Shall the bill pass?"

Having been put, (three-fifths of the members being present,)

It was decided in the affirmative.

Those who voted in the affirmative, were

Messrs. Ayres, Barber, Bird, Bowron, Briggs, Brown, Chase, Colwell, Colley, Clark, Crandall, Crawford, Dick, Fagan, Gillilan, Hazard, Hill, W. H. Johnson, Solon Johnson, Juneau, Kelsey, Kerr, Keuhn, Kimball, King, Leland, Lown, Martin, Noble, Nute, O'Neil, Page, Parkinson, Phelps, Pierce, Pope, Pratt, Reymert, Rickerson, Rockwell, Roys, Strong, Thorp, Toland, Turck, Warren, Wells, Young, and Hobart, (speaker.) —49.

Those who voted in the negative were

Messrs. Cotton, Cross, Delany, Flynn, Sugden, and Wasson, —6.

The title of said bill was then agreed to.

Mr. Noble, by leave, presented the petition of G. Gates and others, praying that the organization of school district No. 2, in the town of Rosendale, be declared legal.

Referred to the committe on town and county organization.

Mr. Toland introduced the following resolution, to wit:

Resolved, That in order to prevent much embarrassment to the presiding officer and clerks, and to expedite business in the assembly, that the chief clerk be, and he is hereby authorized, to employ a reader who is somewhat acquainted with modern hieroglyphics, and who has the faculty of nearly guessing the meaning and intentions of gentlemen, by glancing at certain characters on paper, sent up to the speaker's desk, in the shape of reports, resolutions, amendments, &c., by courtesy called writing, and that said officer be required to translate for the use of the assembly, all such papers, immediately on their presentation.

Mr. Delaney moved to amend the said resolution, by adding, "And that Mr. Toland be employed to do such translating, or to procure some person to do it."

On motion of Mr. Bowron,

Said resolution and amendment were laid upon the table.

Mr. Brown, from the committee on claims, to whom the same had been referred, reported back to the assembly,

No. 17 (S.) A bill to pay Messrs. Hale and Chapman the sum therein named ;

Without amendment, and recommonded the passage thereof.

On motion of Mr. Strong,

The assembly resolved itself into committee of the whole for the consideration of the general file of bills ;

Mr. Noble in the chair.

And after some time spent therein the committee rose and by their chairman, reported back to the assembly,

No. 32, (A.) A bill to declare the Oconto river a navigable stream ;

Without amendment.

No. 33, (A.) A bill to authorize Wm. H. Morse to keep and maintain ferries across the St. Croix and Mississippi rivers ;

With an amendment.

No. 34, (A.) A bill to vacate the town plat of the town of Victory in the county of Dodge ;

Without amendment; and

No. 17 (S.) A bill to pay Messrs. Hale and Chapman the sum therein named ;

Without amendment.

The amendment of the committee of the whole to said bill No. 33, (A.) was concurred in ;

And said bills, No. 32, 33 and 34, (A.) were severally ordered to be engrossed and read the third time ;

Said bill No, 17, (S.) wae ordered to be read a third time.

Mr. Kerr, from the committee on enrolled bills, made the following report, viz:

The committee on enrolled bills, beg leave to report that they examined

No. 33, (S.) A bill to appropriate money to persons therein named;

And find it correctly enrolled,

The said bill was thereupon signed by the speaker and transmitted to the senate.

On motion of Mr. Bowron,

The assembly adjourned.

FRIDAY, February 2d, 1849.

Prayer by the Rev. Mr. Lord.

The journal of yesterday was read.

Mr. Thorp presented

The petition of H. N. Hickcock and 132 others of the town of Bristol, in the county of Racine, praying for the passage of a law limiting the jurisdiction of justices of the peace in civil actions to their respective towns:

Which was referred to the committee on expiration and re-enactment of laws.

Mr. Kerr presented

The petition of E. E. Randall and 18 others praying for the location of a road;

Referred to the committee on roads, bridges, and ferries.

Mr. Strong presented sundry claims of Racine county against the state;

Which were referred to the committee on claims.

Mr. Kerr, from the committee on enrolled bills, reported that the committee did on yesterday, present to the governor for his approval

An act to organize a school district therein named,

An act to provide for laying out certain roads therein named,

A memorial to congress on the subject of a mail route.

A memorial to congress on the subject of a mail route from Falls St. Croix to La Pointe on Lake Superior,

An act amendatory to an act to provide for the division of the several counties under the county system of government, into towns,

An act to organize the Kilbourn road district;

An act to organize the several towns therein named,

An act to provide for the laying out a certain road in the counties of Fond du Lac and Winnebago,

An act to change the name of Jonh Meehan to John Smith,

An act to approproiate to J. C. Fairchild the sum therein named,

An act to appropriate to the county of Crawford the sum therein named,

An act to pay George E. Graves the several sums therein named,

An act to provide for the payment of the commissioners appointed to locate the state lands, and

An act to appropriate money to persons therein named.

Mr. Leland introduced the following resolution, which was adopted, to wit:

Resolved, That the chief engineer of the board of public works be requested to report to the assembly the estimated cost of the improvement of the two channels at Winnebago rapids, separately, and to what channel the reported estimate of the engineer is to apply as already made.

A message from the senate by their chief clerk:

Mr. SPEAKER:

I am directed to inform you that the senate has concurred in the following joint resolution:

Resolved, By the senate and assembly, That the governor be requested to cause the basement of the capitol to be cleared of wood, to be thoroughly cleansed, and the ground to be sprinkled with lime.

Mr. Burns presented

An account of the county of Iowa against the state;

Which was referred to the committee on claims.

Mr. Barber introduced the following resolution, to wit:

Resolved, That the revisors be requested to prepare a bill organizing a county court in the several counties of this state, upon the following basis:

1st. To consist of a county judge to be chosen by the electors of the county for the term of years, to receive an annual salary of dollars, to be paid out of the county treasury.

2d. To confer upon such court appellate jurisdiction from justices of the peace, both civil and criminal, by certiorari, or appeal. And in case of appeal, where the question is one of fact, such court be authorized to issue a special venire for a jury to try the issue, the cost to be paid by the party moving the cause for trial, in the first instance and to abide the event of the suit.

3d. That said court be vested with the powers and duties of a probate court. That such judge be required to hold a term of his court at the county seat in his county on the first Monday in each month for probate duties.

4th. That a tariff of fees based upon the appraised valuation of property returned to such court be imposed and paid into the county treasury.

5th. That all final orders, decisions, and decrees of such probate court be made in open court, except such powers and duties as may be exercised properly at chambers.

6th. That said judge shall hold two terms of the county court in each year as shall be prescribed by law.

Mr. Roys moved that said resolution be referred to the committee on the judiciary.

Which was disagreed to,

On motion of Mr. Delaney,

Said resolution was laid on the table and ordered printed.

Mr. Rockwell introduced

No. 44 (A.) A bill to vacate the town plat of the town of Oconomewoc;

Which was read the first and second times.

Mr. Brown, from the committee on claims, reported

No. 45 (A.) An act to appropriate to H. A. Tenney the sum therein named, Also,

No. 46 (A.) A bill to appropriate to Daniel Noble Johnson the sum therein named;

Which were severally read the first and second times.

Mr. W. H. Johnson, from the committee on incorporations, reported

No. 47 (A.) A bill to incorporate the "Iron Ridge Iron company."

Mr. Roys, from the committee on town and county organization, reported

No. 48 (A.) A bill to repeal an act to change the boundarief of the towns of Utica and Rushford, in the county of Winnebago;

No. 49 (A.) A bill to organize the town of Charleston, in Calumet county;

No. 50 (A.) A bill to repeal an act to change the boundaries of the towns of Bristol and Paris, in Racine county; and

No. 51 (A.) A bill to annex a portion of the towns of Beaver Dam and Lowell in Dodge county, to thetown of Fairfield.

Which said bills were severally read the first and second times.

The speaker laid before the assembly communications from the sheriffs of the counties of Racine, Marquette, and Brown;

Which were referred to the committee on state prison. Also

A communication from the governor, which was read as follows, to wit:

"Executive Department,
Madison, February 1st, 1849.

To the assembly:

I have this day approved, signed, and deposited in the office of the secretary of state, acts of the following titles:

An act amendatory to an act to provide for the division of the several counties under the county system of government, into towns;

An act to organize a school district therein named,

An act providing for laying out certain roads therein named,

An act to organize the Kilbourn road district, and

An act to organize the several towns therein named, also,

Memorial to congress on the subject of a mail route, and

A memorial to congress on the subject of a mail route from the Falls of St. Croix to La Pointe, on Lake Superior;

NELSON DEWEY.

No. 17 (S.) A bill to pay Messrs. Hale and Chapman the sum therein named,

Was read the third time;

And the question, "shall the bill pass?"

Having been put, (three-fifths of the members being present,)

It was decided in the affirmative.

Those who voted in the affirmative were

Messrs. Barber, Bird, Bowron, Briggs, Brown, Burns, Chase Colwell, Colley, Crandall. Crawford, Cross, Delaney, Dick, Fagan, Flynn, Gillilan, Hastings, W. H. Johnson, Solon Johnson, Kelsy, Kerr, Kuehn, King, Leland, Lown, Martin, Noble, Nute, O'Neil, Page, Parkinson, Phelps, Pierce, Pike, Pope, Pratt, Reymert, Rickerson, Rockwell, Roys, Strong, Sugden, Thorp, Toland, Townsend, Turck, Warren, Wasson, Wells, Willard, Young, and Hobart, (speaker)—53.

None in the negative.

And the title of said bill was then agreed to.

Mr. Hastings, from the committee on engrossed bills, reported as correctly engrossed the following bills:

No. 34 (A.) A bill to vacate the town plat of the town of Victory, in the county of Dodge;

No 33 (A.) A bill to authorize Wm. H. Morse to keep and maintain Ferries across the St. Croix and Mississipp rivers:

No. 31, (A.) A bill to authorize the construction of a bridge across Fox river; and

No. 32 (A.) A bill to declare the Oconto river, a navigable stream.

Said bills, No. 31, No. 32, and No. 34 (A.).

Were severally read the third time, passed, and the titles thereof agreed to.

On motion of Mr. Bowron,

No. 30 (A.) A bill to incorporate the St. James Manufacturing company of St. James, Wisconsin,

Was taken from the general file and referred to the committee on the judiciary.

Leave of absence was granted to Messrs. Juneau, Kimball, Ayers, and Thomas.

A message from the senate by their chief clerk:

MR. SPEAKER:

I herewith deliver to you by direction of the senate, An act to appropriate money to persons therein named,

Which was returned by the governor to the senate, wherein said act originated, together with his objections to the same.

Which objections are also by direction of the senate herewith delivered to you.

And I am directed by the senate to inform you that the senate has reconsidered said act, and has passed the same by a vote of two thirds of the senate, notwithstanding the objections of the governor.

On motion of Mr. Reymert,

The assembly resolved itself into committee of the whole for the consideration of the general file of bills;

Mr. Roys in the chair.

And after some time spent therein the committee rose and by their chairman reported back to the assembly –

No. 39 (A.) A bill repealing the law which makes it penal not to observe the Sabbath,

With an amendment.

A message from the senate by their chief clerk,

MR. SPEAKER:

I am directed to inform you that the senate has adopted the following joint resolutions:

No. 10 (S.) Resolutions in relation to the business of the legislature at its present session.

In which the concurrence of the assembly is requested.

Mr. Roys, from the committee on town and county organization submitted the following report.

The committee on town and county organization to whom was referred the petition of Henry L. R. Jones, and others, praying that section 25 in township No. 3, range No. 16, in Walworth county, may be annexed to the town of Elk Horn, and also, two remonstrances from said towns, against such annexation, would respectfully

REPORT:

That they have examined the petition and remonstrances, and find that four names are appended to the petition and ninety to the remonstrance, therefore, in point of numerical strength the remonstrants have vastly the advantage, and although your committee would not be governed entirely by such considerations, believing that not unfrequently petitions and remonstrances are conceived in sin and brought up here for iniquity." Yet it does appear to them that if their present condition is so oppressive as represented in the petition, that a community possessed of the benevolence and philanthropy of which the citizens of Walworth county are so famous, would have had more sympathy for their sufferings, than to have sent up here so large a remonstrance against their seeming not unreasonable wishes, therefore your committee very reluctantly feel it their duty to report adverse to the prayer of the petitioners.

S. H. ROYS,
Chairman.

On motion of Mr. Kelsey,

The assembly adjourned until half past two, P. M.

HALF PAST TWO O'CLOCK, P. M.

The pending question being on concurring in the amendment of the committee of the whole to

No. 39, (A.) A bill repealing the law which makes it penal not to observe the Sabbath,

Which was to strike out the enacting clause,

Having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Barber, Briggs, Brown, Burns, Chase, Colwell, Colley, Crawford, Dick, Fagan, Flynn, Hastings, W. H. Johnson, Kelsey, Kerr, Leland, Lown, Martin, Noble, Nute, O'Neal, Page, Parkinson, Phelps, Pike, Pope, Pratt, Rockwell, Sugden, Toland, Townsend, Turck, Warren, Wasson, Wells, White, Willard, Young and Hobart, (speaker)—39.

Those who voted in the negative were

Messrs. Alden, Bird, Bowron, Cotton, Clark, Cross, Delaney, Gillilan, Hill, Solon Johnson, Keuhn, King, Pierce, Reymert, Rickerson, Roys, Strong, and Thorp.—18.

A message from the Senate by their chief clerk:

MR. SPEAKER:

I am directed to inform you that the senate has passed

No. 9 (S.) A memorial to congress on the subject of a mail route from Waukesha to Cedarburg,

In which the concurrence of the assembly is requested.

The first message from the senate was taken up,

And the question being on re-considering and passing,

No. 33 (S.) A bill to appropriate money to persons therein named,

Having been put, (three-fifths of the assembly being present,)

It was decided in the affirmative.

Those who voted in the affirmative were

Messrs. Alden, Barber, Brown, Chase, Colley, Clark, Crawford, Dick, Fagan, Flynn, Hastings, Hill, W. H, Johnson, Solon Johnson, Kelsey, Kuehn, King, Leland, Lown, Martin, Noble, Nute, O'Neill, Page, Parkinson, Phelps, Pierce, Pike, Pope, Pratt, Reymert, Sugden, Thorp, Toland, Townsend Turck, Warren, Wasson, Wells, White, Willard, Young and Hobart, (speaker.)—43.

Those who voted in the negative, were

Messrs. Bird, Bowron, Briggs, Burns, Cotton Cross, Delaney, Gillilan, Kerr, Rickerson, Rockwell, Roys, and Strong. —13.

Two-thirds of the members present having voted in the affirmative, the said bill was reconsidered and passed.

On motion of Mr. Kelsey,

The assembly adjourned.

SATURDAY, February 3d, 1849.

The journal of yesterday was read,

Mr. Hastings introduced the following resolution, which was adopted, to wit:

Resolved, That the judiciary committee be instructed to report on so much of the governor's message as was referred to them relating to evidences of state debt, by bill or otherwise, at their earliest convenience.

Mr. Barber gave notice that on to-morrow, or some future day, he should ask leave to introduce

A bill to appoint commissioners to lay out a state road from Neosho in Dodge county to the county seat of said county.

Messages from the senate were then taken up,

And the question being on concurring in the adoption of the following resolutions, to wit:

Resolved, by the senate and assembly, That the revision and compilation of the laws be completed at the present session of the legislature;

That the commissioners appointed to revise the laws be requested to complete the revision of that portion of the statutes which they had intended to report upon at the present session, and that they report the same to the legislature as soon as convenient;

That said commissioners be requested, immediately after making such report, to collate and arrange all the general laws now in force in this state, which have not been revised, and to suggest such amendments as may occur to them to be necessary;

That immediately upon the close of the present session, one of said commissioners, to be designated by them, be requested to superintend the printing, in book form, of all the general laws of this state, compare the proof sheets thereof, and make a full and complete index thereto;

That inasmuch as the revision and compilation of the laws is by far the most important work of the present session, the senate and assembly do devote the whole of the forenoon of each day, after the reading of the journal, to the consideration of the same whenever any portion of it shall be in readiness to be acted upon, and that the general orders of the day be postponed to the afternoon session;

That the joint committee to whom was referred the reports of the revisors, be authorized to absent themselves from the afternoon sessions, and that they be requested to bring the work of the revisers before the legislature as speedily as possible;

That the work of the revisers be acted upon in chapters, as reported by them, and that the same be passed through the ordinary steps of legislation, and be placed in the hands of the enrolling committee, but that said committee shall not present the same to the governor for his signature until the whole shall have passed.

And having been put,

It was decided in the affirmative.

No. 9, (S.) A memorial to congress on the subject of a mail route from Waukesha to Cedarburg,

Was read the first and second times.

On motion of Mr. Strong,

The assembly resolved itself into committee of the whole for the consideration of the general file of bills;

Mr. White in the chair.

And after some time spent therein the committee rose, and by their chairman reported back to the assembly,

No. 36, (A.) A bill to authorize the construction of a dam across the Milwaukee river;

No. 38, (A.) A bill to authorize the city of Racine to aid in the construction of a plank road;

No. 41, (A.) A bill to change the name of Lucy Ann Brown Leland to Lucy Ann Brown, and the same to be made heir at law of Benjamin Brown;

Without amendment; and

No. 37, (A.) A bill to authorize Cyrus Curtis, his associates and assigns, to build and construct a dam across Rock river;

With an amendment;

Which was concurred in by the assembly; and said bills

No. 36, 37, 38, and 41, (A.)

Were severally ordered to be engrossed and read a third time.

Mr. Roys, by leave, presented the account of J. W. Hall against the state;

Which was referred to the committee on claims.

Mr. Wells, by leave, from the select committee to whom the subject had been referred, reported

No, 52, (A.) A bill for the re-apprisal of section No. 16, in the county of Waukesha;

Which was read the first and second times.

On motion of Mr. Delaney,

The assembly adjourned.

MONDAY, February 5th, 1849.

The journal of yesterday was read.

Mr. Reymert presented the petition of H. H. Simmons and R. B. Wentworth praying for an appropriation;

Which was referred to the committee on printing.

Mr. Barber, by leave, introduced

No. 53, (A.) A bill to incorporate the Milwaukee and Fond du Lac plank road company;

Which was read the first and second times.

Mr. Bowron introduced

No. 54, (A,) A bill to organize the county of St. Croix, and attach the county of Lapointe thereto for judicial purposes;

Which was read the first and second times.

Mr. Strong introduced

No. 4, (A.) Joint resolution relative to judges salary, as follows, to wit:

Resolved, by the senate and assembly, That the state treasurer be instructed to pay, immediately upon the passage of this resolution, to the judges of the supreme court the quarter yearly salary for the present quarter ending on the 31st day of March next, and which by law would not become due till the end of the quarter;

Which was read the first and second times.

Mr. Strong moved that the rules be suspended and that the said resolutions be read the third time now.

And the question having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Barber, Bowron, Briggs, Brown, Burns, Chase, Colwell, Colley, Crandall, Clark, Cross, Delaney, Fagan, Flynn, Gillilan, Hastings, W. H. Johnson, Kelsey, Kerr, Kuehn, King, Lown, Martin, Noble, Nute, O'Neal, Page, Parkinson, Phelps, Pierce, Pike, Pope, Pratt, Reymert, Rockwell, Strong, Sugden, Toland, Turck, Warren, Wasson, Wells, Willard, Young, and Hobart, (Speaker,)—45.

Those who voted in the negative were

Messrs. Hill, and Thorp.

Said bill was then read the third time;

And the question on the passage of said resolution,

Having been put,

It was decided in the affirmative.

Mr. Kelsey gave notice that on to-morrow or some other day he would ask leave to introduce

A bill to repeal an act entitled "an act regulating taverns and groceries," passed at the session of the territorial legislature of 1838 & 39; also

All acts and parts of acts subsequently passed relating to the same subject.

Mr. W. H. Johnson, from the committee on corporations, reported back to the asssmbly,

No. 35, (A.) A bill to repeal an act establishing a municipal court in the city of Milwaukee;

Without amendments, recommending the passage thereof.

The said report was accepted.

Mr. Hastings, from the committee on engrossed bills, reported as correctly engrossed

No. 36, (A.) A bill to authorize the construction of a dam across the Milwaukee river;

No. 41, (A.) A bill to change the name of Lucy Ann Brown Leland to Lucy Ann Brown, and the same be made heir at law of Benjamin Brown;

No. 38, (A.) A bill to authorize the city of Racine to aid in the construction of a plank road; and

No. 37, (A.) A bill to authorize the construction of a dam across Rock river.

On motion of Mr. Barber,

The resolutions relative to establishing county courts,

Were taken up.

Mr. Strong moved to amend the same by adding after the word "State" the words "with the powers now exercised by judges of probate," and strike out all after and including the word "first;"

Which was agreed to.

And the question on the adoption of the resolution as amended, having been put,

It was decided in the affirmative.

Mr. Clark, from the committee on roads, bridges and ferries, reported

No. 55, (A.) A bill to declare certain roads in the town of Shields to be lawful highways; and

No. 56, (A.) A bill to declare certain roads in the town of Auburn to be lawful highways;

Which were severally read the first and second times.

Mr. White introduced

No. 57, (A,) A bill to amend the act entitled "an act to establish the times of holding circuit courts;"

Which was read the first and second times; and

On motion of Mr. White,

Referred to a select committee consisting of one from each of the counties in which the times of holding courts are proposed to be changed;

Which was agreed to.

The speaker announced the appointment of

Messrs. White, Wells, Nute, Bird, Brown and Keuhn, as said committee.

Mr. Kerr, from the committee on enrolled bills, reported as correctly enrolled,

No. 5, (S.) Memorial to congress in relation to the establishment of a marine hospital on Rock Island;

No. 17, (S.) A bill to pay Messrs. Hale and Chapman the sum therein named.

The speaker laid before the assembly the following communication, which was read to wit:

To the Honorable the Senate and House of Representatives of the State of Wisconsin:

The memorial of the common council of the city of Milwaukee respectfully represents;

That at the last session of the legislature an act was passed entitled an act to establish a municipal court of the city of Milwaukee; which act was passed without the knowledge of this city, and as your memorialists believe in direct opposition to their wishes, and as it were by stealth.

That your memorialists immediately after it became known here that such a law had been enacted, passed a resolution that the same might forthwith be repealed, which resolution was laid before the legislature at its then session, and was considered by them; but instead of acceding to the request of your memorialists and in utter disregard to the wishes of the people of this city, expressed by their representatives, your predecessors not only refused to repeal the said law but took measures to secure more effectually its going into operation.

Your memorialists, therefore, being still of the opinion that the said law ought to be repealed, and believing that we represent the wishes of a very large majority of the people of this city, in this respect, submit the same to your consideration.

We are opposed to the law because the establishment of such a court is unnecessary; for while we admit that greater facilities are required for the transaction of the legal business of the county, yet we think the object could be better accomplished by providing for one or more additional terms of the circuit court.

Two more terms of that court held in this county in a year would be ample provision for all the judicial business of the county and would not cost one quarter the sum that the municipal court would cost the city.

We also object to the law because of the expense of sustaining such a court. Your memorialists have caused an accurate estimate to be made out, taking the actual expenses as they have accrued in the district and circuit court of this county as a guide, and it is found that the expense of such a court would exceed eight thousand dollars per annum over and above all fees, taxes and costs to be paid in towards its maintenance. To meet this extraordinary expenditure there is not a dollar provided, nor has the common council the power to provide for it. Our citizens are already taxed beyond endurance, and yet the whole sum raised for general city purposes, is not sufficient to provide for the suport of our fire department, our police regulations and other legitimate objects of our municipal organization in such manner as to make them most effective.

And lastly, we deny the right of the legislature to impose upon a municipal corporation the support of a judicial tribunal of this character. There is no other city in the Union where such a thing exists, and we believe that the act in question has not a precedent in the whole history of legislation.

The objects for which we are incorporated are political and not judicial. If a municipal court is created it must be a municipal court in fact as well as by name, and be in and of, and have a necessary connection with the objects sought to be attained by a municipal organization. The court provided for the city is not such a court, but is an ordinary tribunal for the trial of actions under the general laws of the state.

We hold that the state is bound to furnish a judiciary, and under general laws to provide a judicial system that will secure the certain and speedy administration of justice in every county and community in the state. If one county on account of the density of its population and the greater amount of its commercial transactions has need of more judicial tribunals than is provided in another county, it does not follow that they cannot be provided at the general expense because the other counties would not then have as many.

The reasonable presumption is that the most populous counties contribute the most toward state expenses and are entitled to a proportionate share of the benefits resulting from a state organization.

There are forty-four terms of the circuit court held in the state in one year, and but two terms in a year in Milwaukee county. Yet the county pays one-eighth of the whole state expenses. The city pays one-tenth of all the state tax and it derives no more benefit from the state government than some counties that do not pay the twentieth part of that sum.

In view of these facts your memorialists respectfully ask that the act to establish a municipal court of the city of Milwaukee may be repealed, and that the judge of the second judicial circuit be authorized to hold two additional terms of his court in the county of Milwaukee in each year.

Adopted in common council by unanimous vote, February 1st., 1849.

BYRON KILBOURN, Mayor.

P. B. Hill, Clerk.

Mr. Cross moved that the communication be referred to the select committee to whom had been referred bill No. 57, (A;)

Which was agreed to.

Also, communications from the sheriffs of the counties of Fond du Lac and Sheboygan, in relation to prisoners;

Which were referred to the committee on state's prison.

A message from the senate by their chief clerk:

MR. SPEAKER:

I am directed to inform you that the senate has passed bills

No. 31, (S.) A bill relating to courts of record;

No. 32, (S.) A bill relating to common schools;

In which the concurrence of the assembly is requested. Also,

No. 2, (A.) A bill to authorize the Presbyterian church in Platteville, Grant county, to change its name and form of government;

Without amendment. And

No. 17, (A.) A bill for a state road from Black river to the Shaurette Mills on the Wisconsin river. And

Concurred in

No. 26, (A.) A bill to extend the time for collecting and returning taxes in the town of Taychedah; and

Resolutions relative to slavery and the slave trade;

With amendments.

In which the concurrence of the assembly is requested.

Also has adopted the following resolution.

Resolved, by the Senate and Assembly, That the committees on the judiciary of both houses shall act as a joint select committee to thoroughly investigate all matters in relation to the Milwaukee and Rock river canal and the actions of the former officers of the same, and report by bill or otherwise in what manner a settlement with the said company and the register and receiver of the canal lands can be effected;

Non-concurred in.

And has passed

No. 16 (A.) A bill declaring certain roads in the town of Shields, lawful highways;

Without amendment.

The message from the senate was taken up.

No. 31, (S.) A bill relating to courts of record in this state; and

No. 32, (S.) A bill relating to common schools;

Were read the first and second times.

The amendments made in senate t[illegible]

No. 17 (A.) A bill for a state road from Black river to the Shaurette Mills, on the Wisconsin river; And

No. 36, (A.) A bill to extend the time for collecting and returning taxes in the town of Taychedah;

Were concurred in.

And the question being on concurring in the amendments of the senate to

Resolutions relative to slavery and slave trade.

Mr. Barber moved that the said amendments be laid on the table and ordered to be printed.

And the question having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Barber, Bird, Bowron, Briggs, Brown, Burns, Clark, Crandall, Cross, Delaney, Dick, Fagan, Gillilan, Hill, W. H. Johnson, Keuhn, King, O'Niel, Page, Parkinson, Pierce, Pike, Rickerson, Toland, Townsend, Wasson, Young, and Hobart, (Speaker,)—28.

Those who voted in the negative, were

Messrs. Chase, Colwell, Colley, Hastings, Kelsey, Kerr, Lown, Martin, Noble, Nute, Phelps, Pope, Pratt, Reymert, Rockwell, Strong, Thorp, Turck, Warren, Wells, White and Willard,—22.

And the question being on concurring in the resolutions of the senate in relation to the judiciary committee to investigate the affairs of the register and receiver of the canal lands,

Having been put,

It was decided in the negative.

The speaker laid before the assembly the following communication from the governor, to wit:

To the Senate and Assembly:

In pursuance of the sixth section of the fifth article of the constitution, I communicate to the legislature all the cases of pardon granted by the executive since the organization of the state government, stating the name of the convict, the sentence, and its date, and the date of the pardon, with the reasons for granting the same.

Silas H. Ferm was convicted of the crime of manslaughter, and sentenced by the district court of Racine county, on the 8th day of November, 1845, to three years imprisonment in the state prison from that day, and he was unconditionally pardoned on the fifth day of September, 1848.

Frederick A. Starkei was convicted of the crime of larceny, and sentenced by the district court of Milwaukee county to one year's imprisonment in the state prison, from the 27th day of November, 1847, and was pardoned unconditionally on the 14th day of October, 1848, to take effect on the 27th day of said October, 1848.

Patrick Walsh was convicted of the crime of an assault with intent to commit a rape, and sentenced by the district court of La Fayette county, to one year's imprisonment in the state prison, from the 21st day of April, 1848, and he was pardoned on the sixth day of December of the same year.

The reasons for granting these several pardons, were,

1st. From the evidence presented to me, there was strong doubt whether there was any criminal intent on the part of those convicted in the commission of the acts or offences with which they were convicted.

2nd. The period of their punishment had nearly expired, and it was apparent from the reliable representations made to me, that the ends of public justice had been satisfied, and the objects of the criminal law accomplished by the punishment already inflicted upon them.

3d. The pardon of these convicts was asked for by the court that tried and sentenced them upon their conviction on the part of the United States, and by many citizens of high standing and character in the several counties wherein the offences were charged as committed.

These reasons apply to all the foregoing pardons.

NELSON DEWEY.

Executive Department, }
Madison, February 1st, 1849. }

No. 9, (S.) Memorial to congress on the subject of a mail route from Waukesha to Cedarsburg, was

On motion of Mr. Wells,

Laid upon the table.

No. 36, (A.) A bill to authorize the construction of a dam across the Milwaukee river;

No. 37, (A.) A bill to authorize Cyrus Curtis, his associates and assigns, to build and construct a dam across Rock river;

No. 38, (A.) A bill to authorize the city of Racine to aid in the construction of a plank road; and

No. 41, (A.) A bill to change the name of Lucy Ann Brown Leland to Lucy Ann Brown, and the same be made heir at law of Benjamin Brown;

Were severally read the third time, passed, and the titles thereof agreed to,

Mr. Wells, by leave, introduced

No. 58, (A.) A bill to restore the name and rights of the Prairieville Academy;

Which was read the first and second times.

On motion of Mr. Martin,

The assembly resolved itself into committee of the whole for the consideration of the general file of bills;

Mr. Martin in the chair.

And after some time spent therein the committee rose, and by their chairman, reported progress and asked leave to sit again thereon.

Leave was granted.

On motion of Mr. Kelsey,

The assembly adjourned until half past two, P. M.

HALF PAST TWO O'CLOCK, P. M.

Mr. Sugden presented the petition of Jonathan Parsons, in relation to the collection of taxes in Waukesha county;

Which was referred to a select committee consisting of Messrs. Sugden, Rockwell and Lown.

On motion of Mr. Barber,

The assembly resolved itself into committee of the whole for the further consideration of the general file of bills;

Mr. Briggs in the chair.

And after some time spent therein the committee rose and by their chairman reported back to the assembly

No. 40, (A.) A bill to prevent obstructions of the Wisconsin river and its tributary streams;

With amendments.

No. 42, (A.) A bill to change the boundary of the towns of Jefferson and Koshkonong, in the county of Jefferson;

No. 48 (A.) A bill to repeal an act to change the boundarief of the towns of Utica and Rushford, in the county of Winnebago;

No. 49 (A.) A bill to organize the town of Charleston, in Calumet county;

No. 50 (A.) A bill to repeal an act to change the boundaries of the towns of Bristol and Paris, in Racine county; and

No. 31, (S.) A bill relating to courts of record in this state;

Without amendments,

And reported progress on the general file and asked leave to sit again thereon.

Leave was granted.

The amendments of the committee of the whole to said bill No. 40, (A.)

Were concurred in.

Said bills, No. 40, 42, 48, 49 and 50, (A.)

Were severally ordered to be engrossed and read the third time.

Said bill No. 31, (S.) was ordered to be read the third time.

And the question being on ordering

No. 35, (A.) A bill to repeal the acts establishing a municipal court in the city of Milwaukee,

To be engrossed and read the third time,

Mr. Cross moved that the same be referred to a select committee, consisting of the entire delegation from Milwaukee county.

Mr. Kerr, from the committee on enrolled bills, reported that said committee have this day presented to his excellency the governor,

A memorial to congress in relation to the establishment of a marine hospital on Rock Island; and

An act to pay Messrs. Hale and Chapman the sum therein named.

A message from the senate, by their chief clerk.

Mr. Speaker;

I am directed to inform you that the senate has passed the following:

No. 30, (S.) A bill to authorize school district No. 7, in the town of Hustisford, Dodge county, to levy a tax to build a school house;

No. 34, (S.) A bill to constitute certain persons members of the Milwaukee cemetery association;

No. 42, (S.) A bill to provide for the payment of the heirs of the late Thomas P. Burnett, deceased, for reporting the decisions of the supreme court of the territory of Wisconsin:

No. 43, (S.) A bill relating to penalties for violating election laws;

In which the concurrence of the assembly is requested.

And that the senate has non-concurred in,

No. 4, (A.) Joint resolution relative to judge's salary.

I am also directed to inform you that the senate has passed

No. 45, (S.) A bill to amend an act entitled an act for the payment of the salary of state officers;

In which the concurrence of the assembly is requested.

No. 30, (S.) A bill to authorize school district No. 7, in the town of Hustisford, Dodge county, to levy a tax to build a school house,

Was read the first and second time, and

Referred to the committee on education and school lands.

No. 34, (S.) A bill to constitute certain persons members of the Milwaukee cemetery association,

Was read the first and second times; and

No. 43, (S.) A bill relating to penalties for violating election laws,

Was read the first and second times; and

On motion of Mr. Strong,

Referred to the committee on the judiciary.

No. 45, (S.) A bill to amend an act entitled "an act for the payment of the salary of state officers,

Was read the first and second times.

Mr. Strong moved that all rules be suspended and that said bill be read the third time now;

Which was agreed to.

The said bill was then read the third time, passed, and the title thereof agreed to.

No. 42, (S.) A bill to provide for the payment of the heirs of the late Thomas P. Burnett, deceased, for reporting the decisions of the supreme court of the territory of Wisconsin,

Was read first and second times.

Mr. Wells moved that all rules be suspended and that said bill be read the third time now;

Which was agreed to.

And the question,

"Shall the bill pass?"

Having been put, (three-fifths of the members being present,)

It was decided in the affirmative.

Those who voted in the affirmative, were

Messrs. Barber, Bowron, Brown, Burns, Chase, Colwell, Colley, Cotton, Clark, Crandall, Cross, Delaney, Dick, Fagan, Hastings, Hill, W. H. Johnson, Solon Johnson, Kelsey, Kerr, Keuhn, King, Lown, Martin, Noble, Nute, O'Neil, Page, Parkinson, Phelps, Pierce, Pike, Pope, Pratt, Reymert, Rickerson, Rockwell, Strong, Sugden, Thorp, Toland, Townsend, Turck, Warren, Wasson, Wells, Willard, Young, and Hobart, (speaker.)—49.

None voted in the negative.

Mr. Bowron, from the select committee to whom was referred that portion of the governor's message which recommended an application to congress for a grant of land to aid in the construction of a rail road to connect the waters of the St. Croix river with those of Lake Superior, submitted a report;

Which was accepted.

Mr. Burns moved that said report be laid on the table and ordered printed;

Which was agreed to.

Mr. Bowron, from the same committee, also reported

No. 4, (A,) A memorial to congress for a grant of land to aid in the construction of a rail road from the Falls of St. Croix to Lake Superior,

Which was read the first and second times.

On motion of Mr. Barber,

The assembly adjourned.

TUESDAY, February 6th, 1849.

Prayer by the Rev. Mr. Penman.

The reading of the journal of yesterday was dispensed with.

On motion of Mr. Hastings,

The assembly resolved itself into committee of the whole for the consideration of

No. 32, (S.) A bill relating to common schools;

Mr. Crandall in the chair.

And after some time spent therein the committee rose and by their chairman reported progress, and asked leave to sit again.

Leave was granted.

Mr. Kerr, from the committee on enrolled bills submitted the following report.

The committee on enrolled bills beg leave to report that they have examined

No. 10, (S.) Resolutions in relation to the business of the legislature at its present session;

No. 42, (S.) A bill to provide for the payment of the heirs of the late Thomas P. Burnett, deceased, for reporting the decisions of the supreme court of the territory of Wisconsin;

No. 45, (S.) A bill to amend an act entitled " an act for the payment of the salary of state officers;"

No. 16 (A.) A bill declaring certain roads in the town of Shields lawful highways;

No. 17, (A.) A bill to provide for the laying out of certain roads therein named,

No. 2 (A.) A bill to authorize the presbyterian church in Platteville, Grant county, to change its name and form of government; and

No. 26, (A.) A bill to extend the time for collecting and returning taxes in the town of Taychedah in the county of Fond du Lac;

And find the same correctly enrolled.

The said bills and resolution were thereupon signed by the speaker, and transmitted to the assembly.

Mr. Strong, from the judiciary committee submitted the following report, which was accepted, to wit:

The judiciary committee to whom was referred a bill to amend an act entitled "an act relating to marriages," respectfully

REPORT:

That only four of said committee were present at the time it was considered by them, that two of said committee were in favor of the passage of said bill, and that two of them were opposed to it.

The same committee to whom was referred a bill to incorporate the St. James manufacturing and lumbering company, respectfully

REPORT:

That if the legislature pass any special acts of incorporation for carrying on business which is not of a public nature, they see no objection to passing this one, the individual stockholders being personally liable for all the debts of the corporation.

Mr. Bird presented

The petition of John Caulkins and 25 others of Dane county, praying for a bridge across the Wisconsin river;

Which, on motion of Mr. Bird,

Was laid upon the table.

Mr. Townsend presented

The petition of L. A. Babcock and other citizens of Winnebago county, praying for the erection of a bridge across Fox river;

Referred to the committee on roads, bridges and ferries.

Mr. Delaney moved

That the vote of the assembly of yesterday, by which bill No. 40, (A.) was ordered to be engrossed and read the third time be re-considered;

Which was agreed to.

Mr. Delaney then moved

That said bill No. 40, (A.) be referred to a select committee of three;

Which was agreed to.

The speaker appointed Messrs. Delaney, Bowron, and Roys as said committee.

On motion of Mr. Cross,

The assembly adjourned until half past two, P. M.

HALF PAST TWO O'CLOCK, P. M.

Mr. Townsend presented

The petition of the board of supervisors of Winnebago county, praying for the payment of the surveyors employed by the appaisers of the school and university lands in said county by the state;

Which was referred to the committee on claims.

Mr. Bowron gave notice that on to-morrow or some future day he would ask leave to introduce

A bill for a laborer's lien.

Mr. Reymert introduced the following resolution, which was adopted, to wit:

Resolved, That the committee on printing be instructed to examine the contract between the state and the public printer, and report whether the publication of a sufficient number of copies of the revised statutes of Wisconsin in a neat and convenient volume, is provided for in said contract. If such publication should not be provided for, the committee is requested to inquire into the best mode of procuring it done in a manner corresponding with the importance of the work.

Mr. Hastings, from the committee on engrossed bills, reported as correctly engrossed

No. 50, (A.) A bill to repeal an act to change the boundaries of the towns of Paris and Bristol in the county of Racine;

No. 48, (A.) A bill to repeal an act to change the boundaries of the towns of Utica and Rushford in the county of Winnebago;

No. 43, (A.) A bill to change the boundary of the towns of Jefferson and Koshkonong in the county of Jefferson;

No. 49, (A.) A bill to organize the town of Charleston in the county of Calumet.

Said bills No. 42, 48, 49 and 50 (A.) were severally read the third time, passed, and the titles thereof agreed to.

Mr. Burns, from the committee on education and school lands, to whom was referred

No. 30, (S.) A bill to authorize school district number seven in the town of Hustisford, Dodge county, to levy a tax to build a school house;

Reported the said bill back to the assembly with an amendment.

The report was accepted.

Mr. Brown, from the committee on claims, reported

No. 59, (A.) A bill to appropriate to N. W. Dean the sum therein named;

Which was read the first and second times.

Mr. Delaney, from the select committee to whom the same had been referred, reported back to the assembly

No. 40, (A.) A bill to prevent obstructions of the Wisconsin river and its tributary streams;

With an amendment.

Mr. Sugden, from the select committee to whom that subject had been referred, reported

No. 60, (A.) A bill to extend the time of collecting and returning taxes in the town of Eagle in Waukesha county;

Which was read the first and second times.

Mr. Strong, from the judiciary committee to whom the same had been referred, reported back to the assembly

No. 43, (S.) A bill relating to penalties for violating election laws;

Without amendment.

On motion of Mr. Barber,

The assembly resolved itself into committee of the whole for the consideration of

No. 43, (A.) A bill to incorporate the "Harazthy Bridge Company;"

Mr. Bird in the chair.

And after some time spent therein the committee rose and by their chairman reported said bill back to the assembly with an amendment.

And the question being on concurring in the amendment of the committee of the whole to said bill,

Mr. Hastings moved that said bill be laid on the table;

Which was agreed to.

On motion of Mr. Bowron,

The assembly resolved itself into committee of the whole for the consideration of the general file of bills,

Mr. Bowron in the chair.

After some time spent therein the committee rose, and by their chairman, reported back to the assembly

No, 52, (A.) A bill for the re-apprisal of section No. 16, in the county of Waukesha;

With an amendment.

No. 51 (A.) A bill to annex a portion of the towns of Beaver Dam and Lowell in Dodge county, to the town of Fairfield;

No. 47 (A.) A bill to incorporate the "Iron Ridge Iron company."

No. 46 (A.) A bill to appropriate to Daniel Noble Johnson the sum therein named;

No. 44 (A.) A bill to vacate the town plat of the town of Oconomewoc;

No. 45 (A.) An act to appropriate to H. A. Tenney the sum therein named, and,

No. 34, (S.) A bill to constitute certain persons members of the Milwaukee Cemetery Association;

Without amendments.

And reported progress on the general file, and asked leave to sit again.

Leave was granted.

The amendment of the committee of the whole to said bill No. 52, (A.) was concurred in;

And said bill ordered to be engrossed and read the third time.

The question being on ordering bill No, 51, (A.) to be engrossed and read the third time,

Mr. Barber moved that said bill No. 51, (A.) be laid on the table;

Which was agreed to.

And the question being on ordering said bill No. 47, (A.) to be engrossed [illegible] read the third time,

Mr. Barber moved that said bill be referred to the committee on the judiciary;

Which was agreed to.

Said bills Nos. 45 and 46 (A.) were severally ordered to be engrossed and read a third time.

The question being on ordering said bill No. 44, (A.) to be engrossed and read a third time,

Mr. Rockwell moved that said bill be referred to a select committee of three;

Which was agreed to.

The speaker appointed Messrs. Rockwell, Fagan and Roys as said committee.

Said bill No. 34, (S.) was ordered to be read a third time.

No. 31, (S.) A bill relating to courts of record in this state;

Was read the third time, passed, and the title thereof agreed to.

Mr. Rockwell, by leave, presented

The petition of J. S. Rockwell and ten others, to vacate the town plat of the town of Oconomewoc;

Which was referred to the select committee to whom was referred No. 44, (A.)

Mr. Kerr, from the committee on enrolled bills, reported that they have this day presented to his excellency the governor for his signature,

An act for the payment of the heirs of the late Thomas P. Burnett deceased, for reporting the decisions of the supreme court of the territory of Wisconsin;

Resolutions in relation to the business of the legislature at its present session;

An act to extend the time for collecting and returning taxes in the town of Taychedah, in the county of Fond du Lac;

An act to provide for the laying out of certain state roads therein named;

An act to authorize the Presbyterian Church in Platteville, Grant county, to change its name and form of government;

An act declaring certain roads in the town of Shields lawful highways; and

An act to amend an act for the payment of the salary of state officers.

On motion of Mr. Brown,

The assembly adjourned.

WEDNESDAY, February 7th, 1849.

Prayer by the Reverend Mr. Read.

The reading of the journal of yesterday was dispensed with.

On motion of Mr. Clark,

The assembly resolved itself into committee of the whole for the further consideration of

No. 32, (S.) A bill relating to common schools;

Mr. Crandall in the chair.

And after some time spent therein the committee rose, and by their chairman reported progress and asked leave to sit again.

Leave was granted.

A message from the senate by their chief clerk:

Mr. SPEAKER:

I am directed to inform you that the senate has adopted the following resolution:

Resolved, by the senate (the assemby concurring,) That bill

No. 38, (S.) A bill to establish the county seat of LaFayette county,

Be referred to a joint select committee, consisting of the members of both houses of the legislature from the county of LaFayette.

And has passed

No. 46, (S.) A bill for an act to extend the time for collecting tax in the town of Windsor, Dane county;

And has adopted the following resolutions:

Resolved, by the senate and assembly, That hereafter no bills, joint resolutions, or memorials, shall be printed unless specially ordered by the house in which it is introduced, or shall have been ordered by the joint select committee on printing, to whom such bill, joint resolution or memorial may have been referred; also,

Resolved, by the senate and assembly, That the Post Master at Madison be requested to send to the legislature the accounts for the postage of the two houses respectively, up to February 7th, inclusive;

In which the concurrence of the assembly is requested.

On motion of Mr. Wells,

The assembly adjourned until half past two, P. M.

HALF PAST TWO O'CLOCK, P. M.

Petitions were presented and referred, as follows, to wit:

By Mr. Leland:

The petition of David Vanalstine and 34 others, for a state road from Fort Winnebago to the Mississippi;

Referred to the committee on roads, bridges and ferries.

By Mr. Crawford:

The petition of J. V. Richardson and 61 other citizens of Green county, for the repeal of the homestead exemption law;

Referred to select committee on homestead exemption.

By Mr. Rockwell:

A remonstrance of Randall Wilcox against a petition to the legislature requiring the Fox river hydraulic company to build a lock at Depere;

Referred to the committee on internal improvements.

By Mr. Bird:

The petition of Robert Harrington and 19 others of town five, range seven, praying to be set off into a separate town;

Referred to the committee on town and county organization.

By Mr. Brown:

The petition of Henry Allen and others, asking the legislature to amend an act entitled an act to prescribe the mode of proceeding in chancery. Also,

The petition of Warren Smith and 100 others, citizens of Sheboygan county, praying for the passage of a law authorizing the levying a tax of $10,000 on the real estate of said village, to aid in the construction of a plank road from Sheboygan to Fond du Lac;

Referred severally to the committee on the judiciary.

By Mr. Barber:

Remonstrance of C. Billinghurst and 50 others of Dodge county, against limiting the value of the homestead;

Referred to select committee on homestead exemption. Also,

Remonstrance of W. M. Stanton and 32 others of Dodge county, against increasing the number of town officers;

Referred to the committee on the judiciary:

By Mr. Kerr:

The petition of John Boatwell and 31 others, praying for a state road from Wyocena, Columbia county, to Waterloo, in Jefferson county;

Referred to the committee on roads, bridges and ferries.

By Mr. Strong:

The petition of Thomas West and others relative to the school lands in Racine county;

Referred to the committee on education and school lands; and

The petition of Alfred P. Foster and eight others asking for a state road;

Referred to committee on roads, bridges and ferries.

By Mr. Burns:

The petition of John Smith and 86 others, citizens of the county of Richland, praying to be organized into a separate county, and for a memorial to congress for a mail route;

Referred to the committee on town and county organization.

By Mr. Willard:

The account of Wm. A. Lawrence, treasurer of Rock county;

Referred to the committee on claims.

By Mr. Crawford:

Remonstrance of T. F. West and 45 others, against the incorporation of the village of Monroe;

Referred to the committee on incorporations.

By Mr. Warren:

Remonstrance of C. S. Bristol and 20 others, against the limitation of the homestead exemption;

Referred to the committee on homestead exemption.

Mr. Cross, by leave, introduced

No. 5, (A.) Joint resolution relative to seals;

Which was read the first and second times.

Mr. Bowron, by leave, introduced

No. 61, (A.) A bill for an act to create a laborer's lien;

Which was read the first and second times, and ordered to be printed.

Mr. Phelps gave notice that on to-morrow or some future day he would ask leave to introduce

A bill to legalize the acts of the collector of the town of Addison, in the county of Washington, for the year A. D. 1848.

Mr. Leland, by leave, introduced

No. 62, (A.) A bill to lay out and establish certain roads therein named;

Which was read first and second times.

Mr. Nute, by leave, introduced

No. 63, (A.) A bill to provide for the publication of election returns in the several counties in this state;

Which was read first and second times; and

Referred to the committee on the judiciary.

Mr. Willard, from the select committee to whom the subject had been referred, reported

No. 64, (A.) A bill to incorporate the Spring Valley academical association;

Which was read the first and second times.

Mr. Roys, from the committee on town and county organization, reported back to the assembly,

No. 24 (A.) A bill to extend the boundaries of the county of Marquette;

With an amendment.

Messages from the senate were then taken up, and

The question being on concurring in the joint resolution of the senate relative to referring bill No. 38, (S.) to a joint select committee,

Mr. Parkinson moved that said resolution be laid upon the table;

Which was agreed to.

The resolution providing that no bills, joint resolutions or memorials, shall be printed unless specially ordered by the house in which it is introduced, or shall have been ordered by the joint select committee on printing, to whom such bill, joint resolution or memorial, may have been referred; and

Resolution providing that the Postmaster at Madison be requested to send to the legislature the account for the postage of the two houses respectively, up to February 7th, inclusive,

Were severally concurred in.

No. 46, (S.) A bill for an act to extend the time for collecting tax in the town of Windsor, Dane county,

Was read first and second times.

No. 34, (S.) A bill constituting certain persons members of the Milwaukee cemetery association,

Was read a third time, passed, and the title thereof agreed to.

The speaker laid before the assembly a communication from the governor, which was read, as follows:

To the Assembly:

I have this day approved, signed and deposited in the office of the secretary of state, acts of the following titles:

An act to authorize the Presbyterian church in Platteville, Grant county, to change its name and form of government;

An act to extend the time for collecting and returning taxes in the town of Taychedah, in the county of Fond du Lac;

An act declaring certain roads in the town of Shields lawful highways;

An act to provide for laying out certain state roads therein named.

NELSON DEWEY.

EXECUTIVE DEPARTMENT,
Madison, February 6th, 1849.

Also, a communication from the attorney general of the state, which,

On motion of Mr. Cross,

Was laid upon the table and ordered to be printed.

Mr. Barber moved that the report of the regents of the university be taken from the table and referred to the committee on university and university lands;

Which was agreed to.

On motion of Mr. Noble,

The assembly resolved itself into committee of the whole for the consideration of the general file;

Mr. Crawford in the chair.

And after some time spent therein the committee rose and by their chairman reported back to the assembly,

No. 30, (S.) A bill to authorize school district No. 7, in the town of Hustisford, Dodge county, to levy a tax to build a school house,

With an amendment.

No. 30 (A.) A bill to incorporate the St. James Manufacturing company of St. James, Wisconsin,

Without amendment.

No. 28 (A.) A bill to amend an act relating to marriages;

No. 24, (A.) A bill to extend the boundaries of the county of Marquette,

With an amendment to each.

No. 40, (A.) A bill to prevent obstructions of the Wisconsin river and its tributary streams;

With an amendment; and

No. 53, (A.) A bill to incorporate the Milwaukee and Fond du Lac plank road company;

Without an amendment.

And the question being on ordering said bill to be engrossed and read the third time,

Mr. Barber moved that the same be laid upon the table:

Which was agreed to.

The amendments of the committee of the whole to said bills No. 30, (S.) No. 28, 24, and 40, (A.)

Were then concurred in.

Said bill No. 30, (S.) was ordered to its third reading.

Said bills, Nos. 28, 24 and 40, (A.) were severally ordered to be engrossed and read the third time.

The speaker appointed Mr. Turck as member of the committee on printing during the absence of Mr. Vineyard.

Mr. Reymert moved that the resolutions relative to slavery and the slave trade, be taken up;

Which was agreed to.

And the question being on concurring in the amendments of the senate to said resolutions,

Mr. Delaney moved to amend the same by striking out all after the word "resolved," and insert as follows:

"That the joint resolution of the legislature of Wisconsin, approved June 21, 1848, expresses the present views and wishes of the legislature, and of the people of this state.

2nd. *Resolved*, That our senators in congress be and they are hereby instructed, and our representatives requested to advocate the repeal of all laws sustaining slavery and the slave trade in the District of Columbia."

And the question on the adoption of said amendment having been put,

It was decided in the negative.

Mr. Cross moved that the further consideration of said resolution be indefinitely postponed.

Mr. Toland moved that the consideration of said resolutions be postponed until the 25th day of February, whenever it occurs;

And the question having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Bowron, Burns, Cotton, Clark, Cross, Delaney, Flynn, Gillilan, Hill, W. H. Johnson, Keuhn, Kimball, O'Neal Parkinson, Pierce, Rickerson, Roys, and Toland,—19.

Those who voted in the negative, were

Messrs. Barber, Bird, Briggs, Brown, Chase, Colwell, Crandall, Crawford, Daugherty, Dick, Fagan, Hastings, Solon Johnson, Kerr, King, Leland, Lown, Martin, Noble, Nute, Page, Phelps, Pike, Pope, Pratt, Reymert, Rockwell, Strong, Sugden, Thorp, Townsend, Turck, Warren, Wasson, Wells, White, Willard, Young and Hobart, (speaker,)—38.

The question was then put on the motion of Mr. Cross to indefinitely postpone;

And the question having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Barber, Bowron, Cotton, Clark, Cross, Delaney, Hill, W. H. Johnson, Keuhn, Kimball, Parkinson, Pierce, Rickerson, and Toland,—14.

Those who voted in the negative were

Messrs. Bird, Briggs, Brown, Burns, Chase, Colwell, Crandall, Crawford, Daugherty, Dick, Fagan, Flynn, Gillilan, Hastings, Solon Johnson, Kerr, King, Leland, Lown, Martin, Noble, Nute, O'Neal, Page, Phelps, Pike, Pope, Pratt, Reymert, Rockwell, Roys, Strong, Sugden, Thorp, Townsend, Turck, Warren, Wasson, Wells, White, Willard, Young, and Hobart, (speaker,)—42.

Mr. Crawford moved to amend by adding, to wit:

"*Resolved*, That the territory lying between the Neuces and the Rio Grande is of right the common property of the United States, and that our senators and representatives in congress be requested to use their influence to preserve the same as such, and protect it from the claim of the state of Texas, and prohibit the extension over it of the laws of Texas or the institution of domestic slavery;"

Which was disagreed to.

The question then recurred on concurring in the amendments of the senate to said resolutions,

And having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Brown, Chase, Colwell, Colley, Crandall, Daugherty, Dick, Flynn, Hastings, Solon Johnson, Kerr, King, Leland, Lown, Martin, Noble, Nute, Page, Phelps, Pike, Pope, Pratt, Reymert, Rockwell, Strong, Sugden, Thorp, Townsend, Turck, Warren, Wells, White, Willard, and Hobart (Speaker)—34.

Those who voted in the negative were

Messrs. Barber, Bird, Bowron, Briggs, Burns, Cotton, Clark, Crawford, Cross, Delaney, Fagan, Gillilan, Hill, W. H. Johnson, Keuhn, Kimball, O'Niel, Parkinson, Pierce, Rickerson, Roys, Toland, Wasson, and Young,—24.

Mr. Daugherty, from the committee on engrossed bills, reported as correctly engrossed,

No. 42, (A.) A bill to appropriate to H. A. Tenney the sum therein named;

No. 46 (A.) A bill to appropriate to Daniel Noble Johnson the sum therein named;

No, 52, (A.) A bill for the re-appraisal of section No. 16, in the county of Waukesha.

On motion of Mr. Pratt,

The assembly adjourned.

THURSDAY, February 8th, 1849.

Prayer by the Rev. Penman.

On motion of Mr. Clark,

The assembly resolved itself into committee of the whole, for the further consideration of

The bills reported by the revisors of the laws;

Mr. Wells in the chair.

And after some time spent therein the committee rose and by their chairman, reported back to the assembly,

No. 32, (S.) A bill relating to common schools; and

No. 43, (S.) A bill relating to penalties for violating election laws;

With sundry amendments.

And the question being on concurring in the amendments of the committee of the whole to said bill,

No. 32, (S.) A bill relating to common schools;

Mr. Barber moved

That said bill be referred to the committee on education and school lands;

Which was agreed to.

The amendments of the committee of the whole to said bill,

No. 43, (S.) A bill relating to penalties for violating election laws,

Were severally concurred in.

The question being on ordering said bill to its third reading,

Mr. Roys moved to amend the same, by inserting in lieu of section eleven the following, viz:

Sec. 11. It shall be the duty of the clerk or one of the inspectors at every general or special election to read this chapter in an audible voice to the electors present at the time of opening the polls;

Which was agreed to.

Mr. Delaney moved to amend by adding after the word "imprisonment," in the 4th section the words "in the county jail."

And the question on the adoption of said amendment;

Having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Cotton, Cross, Delaney, Pierce, Rickerson, Roys, Strong, Sugden, Wasson and Willard,—10.

Those who voted in the negative, were

Messrs. Barber, Bird, Bowron, Briggs, Brown Chase, Colwell, Colley, Clark, Crandall, Crawford Fagan, Flynn, Gillilan, Hastings, Hazard, Hill, Kerr, Kuehn, Kimball, King, Leland, Lown, Martin, Nute, O'Neill, Page, Phelps, Pike, Pope, Pratt, Reymert, Rockwell, Thorp, Toland, Townsend Turck, Warren, Wells, Young and Hobart, (speaker.)—41.

Mr. Delaney moved to amend by inserting in sections six and seven after the word "imprisonment," the words, "in the county jail;"

Which was disagreed to.

Mr. Crawford moved that the vote by which the assembly concurred in the amendment of the committee to section No. 2, be reconsidered;

Which was agreed to.

The question then being on the adoption of the amendment to said section two,

Having been put,

It was decided in the negative.

Mr. Delaney moved to amend said bill by striking out the words "county jail" in section three;

Which was agreed to.

The said bill was then ordered to be read the third time.

A message from the senate by their chief clerk:

Mr. Speaker:

I am directed to inform you that the senate has passed

No. 50, (S.) A bill prescribing certain duties to be performed by the state treasurer; also

The following joint resolution:

Resolved, by the Senate and Assembly, That the state printed be requested to send in his account for printing up to the date of Saturday last, inclusive, accompanying the account with copies of the items of printed matter charged, and that he be also requested to furnish his account weekly during the balance of the session accompanied with the printed copies as above;

In which the concurrence of the assembly is requested.

On motion of Mr. Phelps,

The assembly adjourned until half past two P. M.

HALF PAST TWO O'CLOCK, P. M.

The journal of yesterday was read,

Mr. Kerr, from the committe on enrolled bills, reported as correctly enrolled

No. 31, (S.) A bill relating to courts of record in this state;

No. 34, (S.) A bill to constitute certain persons members of the Milwaukee Cemetery Association; and

Joint resolutions relative to slavery and the slave trade.

The said bills and resolution were thereupon signed by the speaker, and transmitted to the senate.

Mr. Brown gave notice that he would on to-morrow or some future day, introduce a bill to abolish capital punishment.

Mr. Delaney gave notice that he would on some future day ask leave to introduce

A bill to amend an act to provide for holding general and special elections, &c.

Mr. Phelps, from the select committee to whom the same had been referred, reported

No. 65, (A.) A bill to legalize the proceedings of the collector of the town of Addison in the county of Washington, for the year 1848;

Which was read the first and second times,

And referred to the committee on the judiciary.

Mr. Rockwell, from the select committee to whom the subject had been referred, reported

No. 66, (A.) A bill to vacate the town plat of the town of Oconomewoc;

Which was read the first and second times.

Messages from the senate were taken up, and

No. 50, (S.) A bill prescribing certain duties to be performed by the state treasurer;

Was read first and second times.

The resolution of the senate relative to the accounts &c. of the state printer,

Was concurred in.

No. 30, (S.) A bill to authorize school district number seven, in the town of Hustisford, Dodge county, to levy a tax to build a school house; and

No. 43, (S.) A bill relating to penalties for violating election laws;

Were severally read the third time, passed, and the titles thereof agreed to,

No. 52, (A.) A bill for the re-appraisal of section number 16 in the county of Waukesha;

Was read the third time.

And the question being on the passage of said bill,

Mr. Wells, with the unanimous consent of the assembly, moved to amend said bill by striking out the name of James Weaver, and insert the name of George Elliott, in lieu thereof;

Which was agreed to.

The said bill was then passed, and the title thereof agreed to.

No. 45 (A.) An act to appropriate to H. A. Tenney the sum therein named,

Was read the third time.

And the question, "shall the bill pass?"

Having been put, (three-fifths of the assembly being present,)

It was decided in the affirmative.

Those who voted in the affirmative, were

Messrs. Barber, Bird, Bowron, Briggs, Brown, Burns, Chase, Colley, Crandall, Daugherty, Delany, Fagan, Flynn, Gillilan, Hastings, Hazard, W. H. Johnson, Kerr, Keuhn, Kimball, King, Leland, Lown, Nute, O'Neal, Page, Phelps, Pierce, Pike, Pope, Pratt, Reymert, Rickerson, Rockwell, Roys, Strong, Thomas, Thorp, Toland, Townsend, Turck, Warren, Wasson, Willard, and Young,—46.

Those who voted in the negative, were

Messrs. Strong, and Hobart, (speaker,)—2.

The title of said bill was then agreed to.

No. 46, (A.) A bill to appropriate to Daniel Noble Johnson the sum therein named;

Was read a third time.

And the question, "shall the bill pass?"

Having been put, (three fifths of the assembly being present,)

It was decided in the affirmative.

Those who voted in the affirmative, were

Messrs. Barber, Bowron, Briggs, Brown, Burns, Chase, Colley, Crandall, Cross, Daugherty, Delaney, Fagan, Flynn, Gillilan, Hastings, Hazard, Hill, W. H. Johnson, Kerr, Keuhn, Kimball, King, Leland, Lown, Martin, Nute, O'Neil, Page, Pope, Pratt, Reymert, Rickerson, Rockwell, Roys, Thomas, Thorp, Toland, Townsend, Turck, Wasson, Warren, Wells, Willard, and Young,—48.

Those who voted in the negative, were

Messrs. Wells, and Hobart, (speaker.)—2.

Mr. Cross, from the committee composed of the members from Milwaukee county to whom the subject had been referred, submitted the following report.

The majority of the committee composed of the delegation from the county of Milwaukee, to whom were referred

No. 35, (A.) A bill to repeal the acts establishing a municipal court in the city of Milwaukee,

Having had the matter under consideration, respectfully beg leave to make the following

REPORT:

At the last session of the legislature of this state, a bill was passed establishing a municipal court in the city of Milwaukee, and therein providing for the election of a judge to hold his office for the term of three years, and the election of a clerk to hold his office for two years, the court to be holden and the office of the clerk thereof to be kept in the same place in the city of Milwaukee, to be provided by the common council of said city. The judge thereof to have a salary of not more than $1,500, and the clerk to receive a compensation to be fixed by the common council of said city. The said court to hold four terms in each year, the time thereof to be fixed by the common council, and to have concurrent jurisdiction in the city of Milwaukee with the circuit courts of all civil causes both in law and equity as well as of all criminal proceedings or causes except in capital cases. The fees of the officers attending said court, the salary of the judge and compensation of the clerk thereof, to be paid out of the city treasury. And upon all suits instituted in said court, or brought thereto by appeal, certiorari or otherwise, from inferior courts, a docket fee of one dollar to be charged which together with all costs accruing except costs of suitors. to be paid into the city treasury, &c.

Immediately after the passage of said act and while the same legislature were in session, the common council of the city of Milwaukee having had the subject under careful consideration, unanimously passed resolutions strongly condemning the establishment of a court of this kind in said city, a copy of which was forwarded to the legislature while yet in session, and the effect was a temporary suspension of any election or action under said act until the first Monday of May 1849. The common council have again at a late session thereof had the same subject under serious consideration, and unanimously adopted a memorial to the legislature now in session, praying for a repeal of said act, and setting forth in said memorial the reasons why they ask its repeal.

The main and principal reason therefor is the additional tax which must necessarily be imposed upon those residing within its jurisdiction in order to maintain and sustain said court, the expense thereof carefully estimated amounting to some 8000 dollars over and above all the income to be derived therefrom by way of tax upon suits, fines, costs, &c. If there were no other considerations than the unanimous expression of opinion of the common council of the city of Milwaukee that said act should be repealed, your committee would feel in duty bound to obey the will of the people as expressed through their more immediate representatives, the authorities of the city. Our citizens are groaning under the burdens of an enormous tax amounting in all to more than one hundred thousand dollars imposed during the last year.

And your committee have no hesitation in saying that in their opinion nine-tenths of the electors of the city of Milwaukee are strongly in favor of the repeal of the said act establishing the municipal court aforesaid, and your committee do not speak unadvisedly or inconsiderately upon the subject. In fact, your committee are not aware of a single individual living within its jurisdiction, who favors the establishment of said court, unless governed by purely selfish motives, and for no justifiable or plausable reasons whatsoever. But it is urged by some not residing within the jurisdiction of said court, and consequently not taxed for its support, that there is so much crime committed in the city of Milwaukee, that its establishment is indispensible for the speedy administration of justice—that the present numbers of the terms of the circuit court are wholly inadequate to meet the pressing wants of the community, and therefore the establishment of a municipal court is imperatively demanded. Your committee propose to remedy this inconvenience by providing one or more additional terms of the circuit court in the city of Milwaukee, and thus rendering the administration of justice as certain, as speedy and effective as could possibly be secured by the establishment of a municipal court, while at the same time it obviates the necessity of subjecting the citizens to the imposition of a heavy tax for its maintainance and support.

Your committee further ask its repeal because it must remain inoperative so long as the common council of the city of Milwaukee, or a majority of them are opposed to its organization. Unless they have the disposition, there is no law to enforce them to provide a place for holding the court or to impose a tax for the support of its officers, jurors and witnesses. The whole financial arrangement of the court is left wholly at the mercy and will of the common council, and this part of the functions of said court are as indispensible to its continued existence and operation as the creation of the court in the first instance.—Your committee can therefore see no benefit to be derived from the continuance of said court, unless to gratify the whim and caprice of those who pretend better to understand the municipal wants and regulations of Milwaukee, than the representatives of the city themselves. Your committee very much regret that they have frequently witnessed a growing disposition on the part of some members of this honorable body, to exercise their prerogatives by an officious intermeddling with matters of a purely local nature, and which could not possibly have any reference directly or indirectly to the locality which they represent, or pertain in any manner to the welfare and interests of the state at large. Your committee are of the opinion that matters of a local nature should be managed and controlled by the representatives from the locality and residing within its limits, unless the vested rights of others are thereby trampled upon and violated.

Your committee offer one more consideration and that one of a general nature in favor of the repeal of said act. According to the said act the amount of tax levied upon all suits commenced in or appealed to said court, is to be paid into the city treasury. The tax by law is one dollar on each and every suit. The number of suits would not be less than five hundred per annum. Now here is the sum of five hundred dollars which would properly and legitimately be paid into the state treasury if said act was repealed and the said court abolished. In this point of view, (and we are aware that this is a strong and conclusive argument to the minds of many,) your committee are of the opinion that the whole state is slightly interested, not in the establishment and maintainance of a municipal court in the city of Milwaukee against the wishes and will of the people as expressed through their representatives, but in the increase of state revenue to be derived by complying with their request to repeal the act establishing it. The county of Milwaukee is justly entitled (if we receive in proportion to the amount we pay into the state treasury) to two additional terms of the circuit court, and would then pay more in proportion to the term than any other county in the circuit. The county of Milwaukee pays nearly as much for two terms of court as the counties of Waukesha, Jefferson and Dane pay for six. The state has thus far provided a judiciary which is ample and sufficient to meet the necessities of the whole people and satisfy the ends of justice.

And all that is required at the present time, in order to give general satisfaction, is a just and proportionate distribution of the times of holding court among the several counties in the circuit according to the amount of legal business incident to each county. If the county of Milwaukee is properly entitled to one or more additional terms of the circuit court and the business of the county require it, your committee can see no injustice or impropriety in asking for it or in the legislature granting it, even at the sacrifice of a municipal court which never has had and never can have a legal existence unless by the will and voice of those who have already repeatedly unanimously condemned it.

By granting one or two additional terms of the circuit court in the county of Milwaukee, it merely authorizes the judges thereof to hold court when otherwise perhaps he might be idle —it would impose no additional tax upon any county in the circuit, nor in any manner interfere with their time for holding court—it would tend to increase the revenue of the state, it would decrease the taxes of the county of Milwaukee by speedily releasing from jail many of its inmates, and thus justice would be administered completely and without denial, promptly and without dalay."

In view of these considerations as well as many others which your committee deem unnecessary to mention, we are of the opinion that the act establishing a municipal court in the city of Milwaukee should be repealed.

The citizens of Milwaukee with an almost entire unanimity are opposed to its establishment, the municipal authorities unanimously recommend its abolishment, and your committe, composed of the entire delegation from the locality embraced within its jurisdiction, in accordance with the wishes of the citizens and the prayer of the memorial of the city authorities, respectfully ask it.

They therefore report said bill back to the house and recommend its passage.

All of which is respectfully submitted.

J. B. CROSS,
S. H. MARTIN,
Z. H. COTTON,
JULIUS WHITE.

On motion of Mr. Clark,

The assembly resolved itself into committee of the whole for the consideration of the general file of bills;

Mr. Wasson in the chair.

And after some time spent therein the committee rose and by their chairman reported back to the assembly

No. 5, (A.) Joint resolution relative to seals;

No. 35, (A.) A bill to repeal an act establishing a municipal court in the city of Milwaukee;

No. 46, (S.) A bill for an act to extend the time for collecing tax in the town of Windsor, Dane county;

No. 64, (A.) A bill to incorporate the Spring Valley academical association;

No. 62, (A.) A bill to lay out and establish certain roads therein mentioned;

No. 56, (A.) A bill to declare certain roads in the town of Auburn to be lawful highways; and

No. 55, (A.) A bill to declare certain roads in the town of Shields to be lawful highways;

Without amendments; and

The question being on ordering said bill No. 25, (A.) to be engrossed and read the third time,

Mr. Cross moved that the same be laid on the table;

Which was agreed to.

And the question being on ordering said bill No. 55, (A.) to be engrossed and read the third time,

Mr. King moved that the same be laid upon the table;

Which was agreed to.

Said bills Nos. 56, 62 and 64, (A.) and joint resolution No. 5, (A) were severally ordered to be engrossed and read the third time

Said bill No. 46, (S.) was ordered to be read the third time.

A message from the senate by their chief clerk,

Mr. Speaker:

I am directed to inform you that the senate has passed

No. 28, (S.) A bill to amend an act entitled an act to exempt from forced sale on final process the property therein named, approved August 10th, 1848.

In which the concurrence of the assembly is requested.

Mr. Chase moved that

No. 35, (A.) A bill to repeal the act establishing a municipal court in the city of Milwaukee,

Be taken from the table and committed to the committee consisting of the delegation from Milwaukee county;

Which was agreed to.

Mr. Clark moved that all rules be suspended and that

No. 50, (S.) A bill prescribing certain duties to be performed by the state treasurer,

Be read the third time now;

Which was agreed to.

The said bill was then read the third time;

And the question, "shall the bill pass?"

Having been put,

Mr. Burns moved that the further consideration thereof be indefinitely postponed;

Which was agreed to.

On motion of Mr. Wells,

The assembly adjourned.

FRIDAY, February 9th, 1849.

Prayer by the Reverend Mr. Read.

The journal of yesterday was read.

Messrs. Burns, Noble, Dick, Colwell, and Turck were excused from attendance for one week.

Leave of absence was granted to Mr. Warren.

Mr. Kerr, from the committee on enrolled bills, reported that the committee did on yesterday present to his excellency the governor, for his approval,

An act relating to courts of record in this state;

Resolutions relating to slavery and the slave trade; and

An act to constitute certain persons members of the Milwaukee cemetery association.

Petitions were presented and referred, as follows, to wit:

By Mr. King:

The petition of James Hanrahan and twenty-four others, praying for the passage of a law declaring certain roads in the town of Emmett lawful highways; also,

The petition of John O'Connor and 52 others, praying for the passage of a law declaring certain roads in said town lawful highways;

Referred to the committee on roads, bridges and ferries.

By Mr. Strong:

The petition of the common council of Racine, praying that the city charter may be amended;

Referred to the committee on incorporations.

By Mr. White:

The remonstrance of E. Champeny and others, against the passage of a law authorizing the erection of a mill dam on section 22, in the town of Lisbon, Waukesha county;

Which on motion,

Was laid upon the table.

Mr. Roys introduced the following resolution, to wit:

Resolved, That the printing of the daily journals be dispensed with.

And the question on the adoption of the same,

Having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Barber, Bird, Brown, Clark, Cross, Gillilan, Hastings, Hazard, Kimball, King, Martin, Phelps, Pierce, Rickerson, Rockwell, Roys, Strong, Sugden, Thorp, Wasson, and Wells,—21.

Those who voted in the negative, were

Messrs. Bowron, Briggs, Chase, Colley, Crandall, Crawford, Daugherty, Delaney, Fagan, Flynn, Hill, W. H. Johnson. Kerr, Kuehn, Leland, Lown, Nute, O'Neil, Page, Pike, Pope, Pratt, Thomas, Toland, Townsend, White, Willard, Young, and Hobart, (speaker.)—29.

The message from the senate was then taken up, and

No. 28, (S.) A bill to amend an act entitled "an act to exempt from forced sale on final process the property therein named, approved Aug. 10th 1848;"

Was read the first and second times.

No. 46, (S.) A bill for an act to extend the time for collecting tax in the town of Windsor, Dane county;

Was read the third time, passed, and the title thereof agreed to.

Mr. King moved that

No. 55, (A.) A bill to declare certain roads in the town of Shields to be lawful highways,

Be taken from the table;

Which was agreed to.

And the question being on ordering said bill to be engrossed and read the third time.

Mr. King moved

To amend the same, by striking out the word "Shields," wherever it may occur in said bill, and that the word "Emmett" be inserted in lieu thereof;

Which was agreed to.

The said bill was then ordered to be engrossed and read the third time.

Mr. Thomas moved that

No. 9 (S.) A memorial to congress on the subject of a mail route from Waukesha to Cedarburg,

Be taken from the table;

Which was agreed to.

The said memorial was then ordered to be read the third time.

On motion of Mr. Bowron,

The assembly resolved itself into committee of the whole for the consideration of the general file of bills,

Mr, Rockwell in the chair.

And after some time spent therein the committee rose and by their chairman reported back to the assembly

No. 54, (A,) A bill to organize the county of St. Croix, and attach the county of Lapointe thereto for judicial purposes;

With an amendment.

No. 58, (A.) A bill to restore the name and rights of the Prairieville Academy; and

No. 66, (A.) A bill to vacate the town plat of the town of Oconomewoc;

Without amendment.

The amendment of the committee of the whole to said bill No. 54, (A.)

Was concurred in.

And said bills No. 54, (A.) and 66, (A.) were severally ordered to be engrossed and read the third time.

The question being on ordering said bill No. 38, (A.) to be engrossed and read the third time;

Mr. Wells moved

That said bill be laid on the table;

Which was agreed to.

Mr. Rockwell introduced the following resolution, which was adopted, to wit:

Resolved, That the sergeant-at-arms be instructed to procure two screens, similar to the one in the north-east corner of this hall, and place the same in front of the stoves in the north-west corner, and under the gallery in this hall.

Mr. Strong, from the committee on the judiciary to whom the same had been referred, reported back to the assembly

No. 20, (A.) A bill relating to towns and town officers;

With the following amendments, to wit:

"Strike out section six, and insert the following:

The annual town meetings of the several towns in this state, shall be held the first Tuesday in April in each year, and at such meeting there shall be an election of the following officers. Three supervisors, one of whom shall be designated on the ballot as chairman, three school commissioners, three assessors, three commissioners of highways, one town clerk, one treasurer, four justices of the peace, so many constables as shall be ordered by the meeting, not exceeding three, one sealer of weights and measurers, and one overseer of highways for each road district in said town: Provided however, If such meeting shall determine before eleven o'clock A. M., that one or two school commissioners, one or two assessors, one or two commissioners of highways shall be elected instead of three as above provided. then the number thus determined upon shall be elected, and shall have the same powers as if there had been three elected.

Amend section 39, by striking out in second line, "town superintendent of schools," and insert, "school commissioner."

Mr. Wells moved that the vote by which the assembly indefinitely postponed the consideration of No. 50, (S.) be reconsidered;

Which was agreed to.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Brown, Chase, Colley, Clark, Crandall, Crawford, Cross, Daugherty, Fagan, Flynn, Hastings, Hazard, W. H. Johnson, Keuhn, Kimball, King, Lown, Martin, Nute, O'Niel, Page, Phelps, Pope, Pratt, Rickerson, Roys, Sugden, Thomas, Thorp, Toland, Townsend, Wasson, Wells, White, Willard, Young, and Hobart, (Speaker,)—37.

Those who voted in the negative, were

Messrs. Barber, Bird, Bowron, Briggs, Cotton, Delaney, Gillilan, Hill, Kerr, Leland, Pierce, Pike, Rockwell, and Strong, —14.

The question being on the passage of the bill,

Mr. Roys moved that said bill be referred to the committee on legislative expenditures;

Which was disagreed to.

The question,

"Shall the bill pass?"

Having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered

Those who voted in the affirmative, were

Messrs. Brown, Colley, Clark, Crandall, Crawford, Daugherty, Fagan, Flynn, Gillilan, Hastings, Hazard, Keuhn, King, Lown, Martin, Nute, O'Neal, Page, Phelps, Pratt, Sugden, Thomas, Thorp, Toland, Townsend, Wasson, Wells, White, and Hobart, (speaker)—29.

Those who voted in the negative, were

Messrs. Barber, Bird, Bowron, Briggs, Chase, Cotton, Cross Delaney, Hill, W. H. Johnson, Kerr, Kimball, Leland, Pierce, Pike, Rickerson, Rockwell, Roys, Strong, Willard, and Young, —21.

The title of said bill was then agreed to.

A message from the senate, by their chief clerk.

Mr. Speaker:

I am directed to inform you that the senate has concurred in the amendments to

No. 30, (S.) A bill to authorize school district number seven in the town of Hustisford, Dodge county, to levy a tax to build a school house;

And has adopted the following resolution:

Resolved, by the senate and assembly, That no more newspapers be taken by the members of the legislature at the expense of the state.

And has passed

No. 4, (S.) A bill to amend an act to provide for the appraisal and subdivision of the school and university lands, approved August 12th, 1848;

No. 6, (S.) A bill to repeal an act in relation to mills and mill dams;

No. 44, (S.) A bill to appropriate the several sums therein named;

No. 49, (S.) A bill to repeal an act entitled "an act to establish a municipal court of the city of Milwaukee, and all acts supplementary thereto;

No. 51, (S.) A bill for the distribution of school moneys;

In which the concurrence of the assembly is requested.

And has concurred in the passage of

No. 31, (A.) A bill to authorize the construction of a bridge across Fox river;

Without amendment. And

No. 3 (A.) Joint resolution relating to printing the laws;

With amendments.

In which the concurrence of the assembly is requested.

And has concurred in the amendments of the assembly to

No. 43, (S.) A bill relating to penalties for violating election laws;

With the following amendments to the amendments:

In section two, strike out the word "meeting" after the words "school district."

In section eleven add, "and put a copy of the same in some conspicuous place where the polls are opened or held;"

In which the concurrence of the assembly is requested.

On motion of Mr. Strong,

The assembly adjourned.

SATURDAY, February 10th, 1849.

Prayer by the Rev. Mr. Penman.

The reading of the journal of yesterday was dispensed with.

Leave of absence for one week was granted to Messrs. Wasson, Bowron, Solon Johnson, Wells, Rockwell and W. H. Johnson.

Mr. Roys, from the committee on town and county organization, reported

No. 67, (A.) A bill in relation to the boundaries of the counties of Adams, Columbia, Chippewa, LaPointe, Richland and St. Croix;

Which was read the first and second times, and ordered to be printed.

Mr. White, from the select committee, to whom the same had been referred, reported back to the assembly

No. 57, (A,) A bill to amend the act entitled "an act to establish the times of holding circuit courts;"

Without amendments, and recommend the passage thereof,

On motion of Mr. Strong,

The assembly resolved itself into committee of the whole for the further consideration of

No. 20 (A.) A bill relating to towns and town officers;

Mr. Roys in the chair.

After some time spent therein the committee rose, and by their chairman, reported back to the assembly said bill, No. 20, (A.)

With amendments.

The amendments of the committee of the whole to said bill No. 20, (A.) were concurred in.

And the question being on ordering said bill to be engrossed and read the third time.

Mr. Strong moved to amend by adding to section 56, "and if they disagree as to which of them shall act as such chairman, then they shall decide the same by lot,"

Which was agreed to.

The said bill was then ordered to be engrossed and read the third time.

The first amendment of the senate to

No. 43, (S.) A bill relating to penalties for violating election laws;

Which was, in section 2, strike out the word "meeting" after the words "school district,"

Was concurred in.

And the question on concurring in the second amendment,

Which was, in section 11, add "and put a copy of the same in some conspicuous place where the polls are opened or held;"

Having been put,

It was decided in the negative.

Mr. Kerr, from the committee on enrolled bills, reported as correctly enrolled,

No. 30, (S.) A bill to authorize school district No. 7, in the town of Hustisford, Dodge county, to levy a tax to build a school house;

No. 50, (S.) A bill prescribing certain duties to be performed by the state treasurer; and

No. 46, (S.) A bill for an act to extend the time for collecting and paying over tax in the town of Windsor, Dane county;

The said bills were thereupon signed by the speaker and transmitted to the senate.

Mr. Kerr introduced the following resolution, to wit:

Resolved, That the committee on ways and means be directed to ascertain as near as may be, what amount will be due from the state to the public creditors, if any, at the close of the present session of the legislature, and if there should be any considerable amount, to report by bill or otherwise.

And the question on the adoption thereof,

Having been put,

It was decided in the negative.

Mr. Daugherty, from the committee on engrossed bills, submitted the following report:

The committee on engrossed bills would beg leave to report the following named bills and resolutions as correctly engrossed,

No. 55, (A.) A bill to declare certain roads in the town of Shields to be lawful highways,

No. 56, (A.) A to bill declare certain roads in the town of Auburn to be lawful highways; and

No. 62, (A.) A bill to lay out and establish certain roads therein mentioned;

No. 66, (A.) A bill to vacate the town plat of the town of Oconomewoc;

No. 24 (A.) A bill to extend the boundaries of the county of Marquette;

No. 28, (A.) A bill to amend an act entitled an act regulating marriages;

No. 64, (A.) A bill to incorporate the Spring Valley academical association;

Resolution No. 5, (A.) Joint resolution relative to seals.

Messages from the senate were then taken up,

And the question being on concurring in the following resolution:

Resolved, by the senate and assembly, That no more newspapers be taken by the members of the legislature at the expense of the state,

Mr. Crawford moved that said resolution be laid upon the table;

Which was agreed to.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Barber, Bird, Briggs, Chase, Colley, Cotton, Clark, Crawford, Cross, Daugherty, Delaney, Fagan, Flynn, Gillilan, Hill, Kerr, Keuhn, Leland, Lown, Martin, Page, Phelps, Pike, Pope, Pratt, Strong, Toland, Willard, and Young—29.

Those who voted in the negative were

Messrs. Hastings, Nute, O'Neal, Pierce, Rickerson, Roys, Sugden, Thomas, Thorp and White,—10.

No. 4, (S.) A bill to amend an act to provide for the appraisal and subdivision of the school and university lands, approved August 12th, 1848,

Was read the first and second times, and

On motion of Mr. Strong,

Referred to the committee on education and school lands.

No. 6, (S.) A bill to repeal an act in relation to mills and mill dams,

Was read the first and second times, and

On motion of Mr. Nute,

Referred to the committee on incorporations.

No. 44, (S.) A bill to appropriate the several sums therein named;

No. 49, (S.) A bill to repeal an act to establish a municipal court of the city of Milwaukee, and all acts supplementary thereto;

No. 51, (S.) A bill for the distribution of school moneys;

Were severally read the first and second times.

The question being on concurring in the amendment of the senate to

No. 3, (A.) Joint resolution relating to printing the laws,

Mr. Delaney moved that the resolution be referred to the committee on printing;

Which was agreed to.

No. 9, (S,) A memorial to Congress on the subject of a mail route from Waukesha to Cedarburg;

No. 5, (A.) Joint resolution relative to seals;

No, 24, (A.) A bill to extend the boundaries of the county of Marquette;

No. 28, (A.) A bill to amend an act entitled an act regulating marriages, and

No. 55, (A.) A bill to declare certain roads in the town of Emmet to be lawful highways,

Were severally read the third time, passed, and the title thereof agreed to.

On motion of Mr. Flynn,

The assembly adjourned.

MONDAY, February 12th, 1849.

Prayer by the Reverend Mr. Read.

The journal of yesterday was read.

Mr. Juneau presented

The petition of J. K. Hyer and others, praying the legislature to be set off from town 7 range 11, and organized into a separate township;

Referred to the committee on town and county organization.

Mr. Chase by leave, introduced

No. 5, (A.) Memorial to congress asking for an appropriation of land to aid in the construction of a rail road;

Which was read first and second times.

Mr. Thomas introduced

No. 68, (A.) A bill repealing all laws providing for the licensing of the sale of spirituous liquors;

Which was read first and second times.

Mr. Barber introduced

No. 69, (A.) A bill to amend an act entitled "an act to exempt from forced sale on final process the property therein named";

Which was read first and second times, and ordered to be printed.

Mr. Barber presented

The petition of A. Farnam and others, to attach a portion of Lowell in Dodge county to Fairfield;

Referred to the committee on town and county organization.

Mr. Kerr, from the committe on enrolled bills, reported as correctly enrolled

No. 31, (A.) A bill to authorize the construction of a bridge across Fox river.

The speaker laid before the assembly the following communication from the state printer, which was read as follows:

MADISON, February 9, 1849.

To the Honorable Assembly:

GENTLEMEN:—I desire to call your attention to certain facts in regard to my contract for incidental printing, in order that a mutual understanding may prevent either difficulty or dispute as to my rights and duties. This contract was entered into with the understanding, on my part, that the incidental printing, comprising the printing incident to the business of the two houses was secured to me as a whole. Supposing that the terms of the law would be complied with, I entered into this engagement on much lower terms than would otherwise have been done.—It was known and understood by me at the time, that on part of this work, I should make nothing; and hence the moving consideration to the contract was that portion embraced under the head of bills, memorials, and joint resolutions. This portion of the work has been suspended, and hence, in fact, the real consideration to the contract has been effectually nullified.

Believing that a fair construction of my contract would embrace all the incidental work of the session—and that if the legislature has power to arrest the profitable portion of the work, it is but just that they should dispense with that portion which is unprofitable. I respectfully ask, that the daily slips may be discontinued from this time forward.

I would respectfully say to your honorable body, that the order already made in relation to printing has subjected me to much inconvenience and loss. Understanding the contract to cover *all* the work commonly incident to the business of a session, I made large orders for stock, which is now left on my hands; I also employed a large number of workmen, in all, no less than thirty-seven persons—about half of them by the week. Most of this force is now out of employment, in consequence of the stoppage of the public work. Being responsible in damages for any delay which I might impede your action all these efforts were put forth to meet your wishes and carry out your orders with due dispatch. The result is loss, vexation, and inconvenience—to which might add, importunity for pay, made by those so suddenly ejected from situations.

Entertaining no doubt of the propriety of the motives which have influenced your action; I would nevertheless call your attention to these results, and respectfully request such a remedy as the evil demands. By suspending all such work as affords no profit, you would offset for that already suspended,—thus relieving me from positive loss. It is such a grievance as I doubt not you will aid in remedying, now that it is brought to your attention.

With the highest sentiments of respect,

D. T. DICKSON, State Printer.

Mr. Crawford moved

That the said communication be referred to the committee on the judiciary;

Which was agreed to.

A message from the senate by their chief clerk:

Mr. SPEAKER:

I am directed to inform you that the senate has adopted the following resolution:

Resolved, by the Senate and Assembly, **That the joint committee on claims be increased by the addition to said committee of one in the senate and two in the assembly;**

In which the concurrence of the assembly is requested.

Also, that the senate has indefinitely postponed

No, 52, (A.) A bill for the re-appraisal of section No. 16, in the county of Waukesha; and has passed

No. 35, (S.) A bill to authorize H. S. Allen, Stover Rines and Moses Rines and their associates, to construct and maintain a boom in Chippewa river, in the county of Chippewa; and

No, 48, (S.) A bill in relation to state officers;

In which the concurrence of the assembly is requested.

Mr. Barber introduced the following resolution, which was adopted, to wit:

Resolved, That the committee on state affairs be instructed to inquire into the expediency of making an appropriation for a contingent fund to be placed at the disposal of the governor, to defray the incidental expenses in and about the capitol and state offices and public property, in charge of the governor.

Mr. Townsend, by leave presented

The petition of Lewis Bridgeman and others, praying for the organization of the town of Vinland; also,

The petition of the inhabitants of the town of Butte des Morts, Winnebago county, praying to have the name of said town changed to Bloomingdale;

Referred severally to the committee on town and county organization.

The message from the senate was taken up, and

The following resolution of the senate, to wit:

Resolved, by the Senate and Assembly, That the joint committee on claims be increased by the addition to said committee of one in the senate and two in the assembly;

Was concurred in.

And Messrs. Pope and Thorp appointed a committee on the part of the assembly under said resolution.

No. 35, (S.) A bill to authorize H. S. Allen, Stoner Rines, Moses Rines, and their associates to construct and maintain a boom in Chippewa river in the county of Chippewa, and

No. 48, (S.) A bill in relation to state officers;

Were severally read first and second times.

Mr. Delaney from the committee on printing to whom the same had been referred, submitted the following report, which was accepted, to wit:

The committee on printing to whom was referred the petition of H. H. Simmons and R. B. Wentworth, praying for an appropriation by the legislature of fifty dollars to each of the petitioners, to defray their expenses home, have had the subject under consideration, and would respectfully

REPORT:

That they believe the statement of the petition as to the poverty of the petitioners to be true; but they cannot conceive that the poverty or misfortunes of individuals can be relieved by the legislature in the manner prayed for by the petitioners, to wit: An appropriation of money from the state treasury. The only manner in which, (in the opinion of your committee) the legislature can extend any relief to the petitioners is by individual contribution. Your committee believe the petitioners to be proper objects of charity, and entitled as such to relief.

Respectfully submitted,
JOHN DELANEY, *Ch'n.*

No. 56, (A.) A bill to declare certain roads in the town of Auburn to be lawful highways;

No. 62, (A.) A bill to lay out and establish certain roads therein named;

No. 64, (A.) A bill to incorporate the Spring Valley Accademical association; and

No. 66, (A.) A bill to vacate the town plat of the town of Oconomewoc;

Were severally read the third time, passed, and the titles thereof agreed to.

No. 62, (A.) A bill to lay out and establish certain roads therein named;

Was read the third time.

And the question being on the passage thereof,

Mr. Strong asked the unanimous consent of the assembly to prefix the enacting clause thereto;

Which was agreed to.

The said bill was then passed, and the title thereof agreed to.

On motion of Mr. Daugherty,

The assembly resolved itself into committee of the whole for the consideration of the general file of bills;

Mr. Colley in the chair.

And after some time spent therein the committee rose and by their chairman reported back to the assembly

No. 51, (S.) A bill for the distribution of school monies;

With an amendment.

No. 49, (S.) A bill to repeal an act entitled "an act to establish a municipal court in the city of Milwaukee, and all acts supplementcry thereto;"

No. 44, (S.) A bill to appropriate the several sums therein named;

No. 28, (S.) A bill to amend an act entitled "an act to exempt from forced sale on final process the property therein named, approved Aug. 10th 1848;"

No. 57, (A.) A bill to amend the act entitled "an act to establish the times of holding circuits;"

No. 59, (A.) A bill to appropriate to N. W. Dean the sum therein named;

No. 4, (A,) A memorial to congress for a grant of land to aid in the construction of a rail road from the Falls of St. Croix to Lake Superior,

No. 60, (A.) A bill to extend the time of collecting and returning taxes in the town of Eagle in Waukesha county;

Without amendments.

The amendment of the committee of the whole to said bill No. 51, (S.),

Was concurred in.

And the question being on ordering said bill to be read the third time,

Mr. Delaney moved to amend the same by striking out the word "sixteen" in the first section and inserting the word "twenty;"

Which was disagreed to.

Said bill was then ordered to be read the third time.

The question being on ordering said bill No. 59, (A.) to be engrossed and read the third time,

Mr. Strong moved that said bill be referred to the committee on the judiciary;

Which was agreed to.

The question being on ordering said bill No. 57, (A.) to be engrossed and read the third time,

Mr. Chase moved that the further consideration thereof be postponed for one week;

Which was agreed to.

Said bill No 60, (A.) was ordered to be engrossed and read the third time.

The question being on ordering said bill No. 28, (S,) to its third reading,

Mr. Strong moved that said bill be referred to the committee on the judiciary;

Which was agreed to.

Said bill No. 44, (S.) was ordered to be read the third time.

The question being on ordering said bill No. 49, (S.) to be read the third time.

Mr. Chase moved that said bill be referred to the select committee consisting of the delegation from Milwaukee county with instructions to report within three days;

Which was agreed to.

Ths question being on ordering No. 4, (A.) Memorial to be engrossed and read the third time,

Mr. Delany moved that the same be laid upon the table;

Which was agreed to.

Mr. Delany from the committee on printing to whom

No. 3, (A.) Joint resolution relating to printing the laws,

Had been referred reported the same back to the assembly with an amendment.

The report was accepted.

Mr. Daugherty, from the committee on engrossed bills, reported as correctly engrossed,

No. 40, (A.) A bill to prevent obstructions of the Wisconsin river and its tributary streams.

On motion of Mr. Clark,

The assembly adjourned until half past two, P. M.

HALF PAST TWO O'CLOCK, P. M.

Mr. Kerr, from the committee on enrolled bills, reported that said committee have this day presented to his excellency the governor, for his approval;

An act prescribing certain duties to be performed by the state treasurer;

An act to authorize school district number seven, in the town of Hustisford, Dodge county, to levy a tax to build a school house;

An act to extend the time for collecing and paying over tax in the town of Windsor, Dane county; and

An act to authorize the construction of a bridge across Fox river.

On motion of Mr. Thorp,

The assembly resolved itself into committee of the whole for the consideration of

No. 48, (S.) A bill relating to state officers;

Mr. Thorp in the chair.

And after some time spent therein the committee rose and by their chairman reported said bill back to the assembly with sundry amendments.

A message from the senate by their chief clerk,

MR. SPEAKER:

I am directed to inform you that the senate has receded from its second amendment to the amendments of the assembly to

No. 43, (S.) A bill relating to penalties for violating election laws;

And has passed

No. 5, (A.) Joint resolution relative to seals; and

Has appointed Mr. Dennis as an additional member of the joint committee on claims, on the part of the senate.

On motion of Mr. Hastings,

The assembly adjourned.

TUESDAY, February 13th, 1849.

Prayer by the Rev. Mr. Lord.

The speaker laid before the assembly a report of the commissioners to revise the laws, Which was ordered to be printed.

No. 48 (S.) A bill relating to state officers,

Being in order, and the pending question being on concurring in the first amendment of the committee of the whole to said bill,

Which was to strike out the words "may" in the 5th and 8th lines and insert in lieu thereof the words "shall"

And having been put,

It was decided in the negative.

The second, third, fourth, and fifth amendments of the committee of the whole to said bill were concurred in.

The sixth and seventh amendments of the committee to said bill which were to strike out in the 43d section the words "with his actual postage, and the necessary stationery of his office," also,

Strike out the words "one thousand" and insert in lieu thereof the words "twelve hundred,"

Were severally non-concurred in.

The eighth and ninth amendments of the committee to said bill,

Were severally concurred in.

The question being on ordering said bill to be read the third time,

Mr. Kerr moved to amend the same by striking out all after the word state, in the third line of section 23, and add another section as follows:

The secretary of state may employ a clerk, who shall receive a salary from the state of not more than three hundred dollars per year.

And the question having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Bird, Briggs, Brown, Clark, Gillilan, Solon Johnson, Juneau, Kerr, Leland, Nute, O'Neal, Parkinson, Strong, Thomas, Toland, Townsend, and White—17.

Those who voted in the negative, were

Messrs. Ayers, Barber, Chase, Colley, Cotton, Crandall, Crawford, Cross, Daugherty, Delaney, Fagan, Flynn, Hastings, Hill, Keuhn, Kimball, King, Lown, Martin, Page, Phelps, Pierce, Pike, Pope, Pratt, Rickerson, Rockwell, Roys, Sugden, Thorp, Warren, Wells, Willard, Young and Hobart, (speaker,)—35.

Mr. Clark moved to amend section 44 of said bill by adding after the word "yearly," the words "in advance;"

Which was disagreed to.

Which was disagreed to,

Mr. Strong moved further to amend said bill by striking out sections 27 and 53,

Which was disagreed to.

Mr. Strong moved further to amend the same by adding a new section under the head of state treasurer, as follows:

All laws authorizing the issuing by any of the state officers of any scrip, warrant, certificate or other evidences of debt, are hereby repealed, and hereafter no money shall be paid out of the state treasury upon any other authority except the act making the appropriation; provided, however, that such warrants as have already been issued by authority of the laws of this state shall be paid by the treasurer.

Which was disagreed to.

Mr. Strong moved further to amend section 44 by adding "after the term of the present incumbent shall have expired, the salary of the superintendent shall be twelve hundred dollars;"

Which was agreed to.

Mr. Strong moved further to amend said bill by striking out sections 54 and 55.

Which was agreed to.

The said bill was then ordered to be read the third time.

The speaker appointed Messrs. Cross and Daugherty as the committee on the part of the assembly, under the

Joint resolution relative to seals.

The speaker laid before the assembly a communication from the chief engineer of the board of public works, which

On motion of Mr. Cross,

Was referred to the committee on internal improvements and ordered to be printed.

Mr. Delaney introduced the following resolution, which was adopted, to wit:

Resolved, the senate concurring, That the committee on the report of the commissioners to revise the laws be dispensed with.

On motion of Mr. Kuehn,

The assembly adjourned until half past two, P. M.

HALF PAST TWO O'CLOCK, P. M.

The journal of yesterday was read.

Mr. Barber moved that

No. 51, (A.) A bill to annex a portion of the towns of Beaver Dam and Lowell in Dodge county, to the town of Fairfield;

Be taken from the table;

Which was agreed to.

Mr. Barber moved that said bill be referred to the committee on town and county organization;

Which was disagreed to.

Mr. Warren moved that said bill be referred to a select committee of five;

Which was agreed to.

The speaker appointed

Messrs. Warren, Barber, Willard, Kerr and Kuehn as said committee.

Mr. Barber introduced

No. 6, (A.) Memorial to congress on the subject of currency;

Which was read the first and second times, and ordered to be printed.

Mr. Cross from the majority of the select committee to whom had been referred

No. 49, (S.) A bill to repeal an act entitled "an act to establish a municipal court in the city of Milwaukee, and all acts supplementary thereto;"

Reported the said bill back to the assembly, without amendment, and recommended the passage thereof.

Mr. Chase from the minority of said committee submitted the following report, which was accepted, to wit:

The undersigned, minority of a committee composed of the Milwaukee delegation, on the bill to repeal the law establishing a municipal court in the city of Milwaukee, beg leave to

REPORT:

That they have had the subject under consideration, and from the best evidence before them, have come to the following conclusions, viz: That some time in the summer of 1848, the bill to establish a municipal court in the city of Milwaukee, was drawn up, as we believe, at the instance of, and under the direction of the common council of the city of Milwaukee; which bill provided that the judge of said municipal court should be elected by the voters of the city of Milwaukee, and that his salary and the expenses of said municipal court should be paid by the county of Milwaukee. The last legislature believing that it was unjust for the county of Milwaukee to pay the expenses of a court in the city, and have jurisdiction only in the city of Milwaukee, so amended said bill that the city of Milwaukee should pay the expenses of its own court. When the aforesaid common council found that the above mentioned amendment was made, they petitioned the last legislature to repeal said law, and here we would remark, that the report was current about Milwaukee, at or about that time, for the truth of which we do not vouch, that one of the above mentioned common council was opposed to the law going into operation, because he feared that an individual who was obnoxious to him would be elected to the office of judge of said municipal court. The last legislature refused to repeal said law, but postponed the time of its going into operation till next May.

The minority of this committee have not sufficient evidence before them that it is in accordance with the wishes of the people of Milwaukee to repeal the aforesaid law. On the contrary, it is the opinion of a minority of the committee, that a majority of the citizens of Milwaukee are opposed to its repeal. We would also call your attention to the fact that in the same memorial of the common council which asks for the repeal of the law establishing the municipal court, they ask for two more sessions of the circuit court, the expenses which would of course have to be paid by the county. The common council estimated the expenses of the municipal court would be at least $8,000, over and above all its revenue. If the municipal court law is repealed, and there are two more sessions of the circuit court, this expense will be paid by the county.

Deducting $1500 for salaries of the judge and clerk of the municipal court would leave $6,500 extra expenses to be paid by the county over its present court expenses. Estimating that the towns pay one-third of the court expenses, which we believe to be a low estimate, the extra expense to the towns would be $2,166 66, by which the towns would not be benefitted one cent. The towns do not want more sessions of the circuit court, two sessions or even one session per annum would be all that would be necessary to the towns. There is not much litigation in the county of Milwaukee out of the city, neither are there many criminal cases out of the city. At the last session of the grand jury in the county of Milwaukee, there were but two bills of indictment found by the grand jury against residents of the county out of the city of Milwaukee, there were 18 or 20 individuals indicted, living in the city of Milwaukee, for various crimes.

The minority of your committee have seen with pain and surprise the charge made by the majority of the committee, that certain members of this assembly meddled with matters which do not concern them. The minority of the committee are clearly of the opinion, that every member of this assembly is interested in every question brought before it, and that it is the privilege and the duty of every member of this assembly to investigate every question, whether local or general, which is presented for its consideration, and to act according to his convictions of his sense of duty to himself and to the best interests of the state.

The minority of the committee would ask that the majority and minority reports be printed, and that farther action on this bill be postponed for two weeks, so that this assembly can learn the wishes of the people of the whole county and city of Milwaukee, on the general subject of courts, and act understandingly on the whole subject, as we can see no urgent necessity for immediate action on this subject, as the law will not go into effect until the first of May next, if it is not repealed.

All of which is respectfully submitted,

ENOCH CHASE,
JOHN FLYNN, Jr.

Mr. Briggs, from the select committee, to whom the memorial of the legislature of the State of Iowa on the subject of a rail road, had been referred submitted a report, which

On motion of Mr. Nute,

Was laid upon the table, and 500 copies thereof ordered to be printed.

Mr. Crawford, from the select committee to whom the petitions on the subject of quack doctors had been referred, submitted a report;

Which was accepted and ordered to be printed. Also,

No. 70, (A.) A bill to prevent imposition in the sale of medicines;

Which was read the first and second times, ordered to be printed, and referred to the committee on medical colleges and medical societies.

No. 40, (A.) A bill to prevent obstructions of the Wisconsin river and its tributary streams;

No. 51, (S.) A bill for the distribution of school moneys; and

No. 48, (S.) A bill relating to state officers;

Were severally read the third time, passed, and their titles agreed to.

No. 44, (S.) A bill to appropriate the several sums therein named;

Was read the third time, and

On motion of Mr. Barber,

Referred to the committee on claims.

On motion of Mr. Daugherty,

The assembly resolved itself into committee of the whole for the consideration of the general file of bills:

Mr. Pope in the chair.

And after some time spent therein the committee rose and by their chairman reported back to the assembly

No. 5, (A.) Memorial to congress asking for an appropriation of land to aid in the construction of a rail road;

No. 35, (S.) A bill to authorize H. S. Allen, Stover Rines, and Moses Rines and their associates, to construct and maintain a boom in Chippewa river, in the county of Chippewa;

No. 3, (A.) Joint resolution relating to printing the laws; and

No. 68, (A.) A bill repealing all laws providing for the licensing of the sale of spirituous liquors;

Without amendments.

The question being on ordering said memorial No. 5, (A.) to be engrossed and read the third time,

Mr. Strong moved to refer said memorial to the committee on internal improvements, with instructions to report to-morrow;

Which was agreed to.

On motion of Mr. Clark,

All rules were suspended, and said bill No. 35, (S.) was read the third time, passed and the title thereof agreed to.

On motion of Mr. Daugherty,

The assembly adjourned.

WEDNESDAY, February 14th, 1849.

Prayer by the Reverend Mr. Read.

The journal of yesterday was read.

On motion of Mr. Barber,

The assembly resolved itself into committee of the whole for the consideration of

No. 71, (A.) A bill to provide for elections other than for town officers;

Mr. Daugherty in the chair.

And after some time spent therein the committee rose and by their chairman reported said bill back to the assembly

With sundry amendments.

The amendments of the committee of the whole were concurred in, and

No. 71, (A.) was ordered to be engrossed and read the third time.

Mr. Kerr, from the committee on enrolled bills, reported that they have examined

No. 43, (S.) A bill relating to penalties for violating election laws;

No. 9, (S.) Memorial to congress on the subject of a mail route from Waukesha to Cedarsburg; and

No. 5, (A.) Joint resolution relative to seals;

And find the same correctly enrolled.

The said bills were thereupon signed by the speaker and transmitted to the senate.

Mr. Daugherty, from the committee on engrossed bill reported as correctly engrossed

No. 60, (A.) A bill to extend the time of collecting and returning taxes in the town of Eagle in Waukesha county;

No. 54, (A.) A bill to organize the county of St. Croix, for judicial purposes, and to attach the county of Lapointe thereto for such purposes;

No. 59, (A.) A bill to appropriate to N. W. Dean the sum therein named;

No. 20, (S.) A bill relating to town and town officers.

On motion of Mr. Hill,

The assembly adjourned until half past two, P. M.

HALF PAST TWO O'CLOCK, P. M.

Mr. Daugherty, from the committee on engrossed bills, reported as correctly engrossed

No. 71, (A.) A bill to provide for elections other than for town officers.

Mr. Phelps presented

A petition asking the repeal of an act approved 19th August, 1848, dividing the towns of North Bend and West Bend, in Washington county, and organizing a new town called Newark;

Which was referred to the committee on town and county organization.

Mr. Rickerson presented

The petition of A. M. Hanchet and 14 others of the town of Medina, praying for the sanctioning of the proceedings of a school meeting held in said town, and also for the passage of a law for the levying of a tax to finish a school house.

Mr. Pope presented

The petition of B. F. Pixley and 28 others, asking that the supervisors of the town of Janesville, Rock county, be allowed to apply the money collected for licenses in said town to the support of the poor;

Referred severally to the committee on education and school lands.

Mr. Kelsey presented

The petition of William C. Allen and 101 others of Walworth county, praying for the passage of a law regulating the sale of medicine or medical compounds, within the limits of the state of Wisconsin;

Referred to the committee on medical colleges and medical societies.

Mr. Wells gave notice that on to-morrow or some future day, he would introduce

A bill to consolidate and amend "an act to incorporate Carroll College, approved January 31st, 1846, and an act amendatory thereto, approved January 25th, 1847."

Mr. Rickerson introduced the following resolution, to wit:

Resolved by the Assembly, (the senate concurring,) That the legislature adjourn on the first Monday of March next, sine die;

Which, on motion of Mr. Kelsey,

Was laid upon the table.

Mr. Phelps, from the select committee to whom the resolution relative to placing a contingent fund at the disposal of the governor, had been referred, reported

No. 72, (A.) A bill making an appropriation for a contingent fund;

Which was read the first and second times.

Mr. Townsend, from the committee on university and university lands, to whom had been referred the report of the regents of the university, reported

No. 6, (A.) Joint resolutions relative to salaries of officers of the university, and in relation to approving of the proposed site and plan of the university buildings;

Which was read first and second times.

Mr. Burns moved that the rules be suspended, and that said resolution be read a third time now;

Which was agreed to.

The said joint resolutions were then read the third time, passed, and the title thereof agreed to.

Mr. Pope, from the majority of the committee to whom petitions on the subject had been referred, submitted the following report, to wit:

A majority of the select committee to whom was referred the petition of A. T. Colban and seven others asking for the enactment of a law to exempt millers from a liability to perform certain duties, have instructed me to

REPORT:

That they are aware of no good reason why millers should be exempt from performing any duties which other citizens are liable to perform, and that such an exemption would be in the opinion of a majority of the committee inexpedient at the present time if not unjust.

The undersigned dissents from the opinion of the majority.

All of which is respectfully submitted.

A. W. POPE, Chairman.

No. 60, (A.) A bill to extend the time of collecting and returning taxes in the town of Eagle, Waukesha county;

No. 20 (A.) A bill relating to towns and town officers; and

No. 71, (A.) A bill to provide for elections other than town officers;

Were severally read the third time, passed, and the titles thereof agreed to.

No. 54, (A.) A bill to organize the county of St. Croix and to attach the county of Lapointe thereto for judicial purposes;

Was, on motion of Mr. Burns,

Laid upon the table.

No. 59, (A.) A bill to appropriate to N. W. Dean the sum therein named;

Was read the third time;

And the question, "shall the bill pass",

Having been put, (three-fifths of the members being present,)

It was decided in the affirmative.

Those who voted in the affirmative were

Messrs. Barber, Bird, Briggs, Brown, Cotton, Clark, Crandall, Cross, Daugherty, Fagan, Gillilan, Hastings, Juneau, Kelsey, Kerr, Lown, Martin, Nute, Parkinson, Rickerson, Rockwell, Roys, Strong, Sugden, Townsend, Wells, and White,—28.

Those who voted in the negative, were

Messrs. Ayers, Burns, Chase, Colley, Delaney, Flynn, Hill, Keuhn, King, Kimball, Leland, O'Niel, Phelps, Pierce, Page, Pike, Pope, Thorp, Toland, Wasson, Willard, Young, and Hobart, (Speaker,)—23.

The title of the said bill was then agreed to.

The amendments of the senate to

No. 3 (A.) Joint resolution relating to printing the laws;

Were concurred in.

The question being on ordering

No. 68, (A.) A bill repealing all laws providing for the licensing of the sale of spirituous liquors;

To be engrossed and read the third time,

Mr. Colley moved that said bill together with all the petitions in relation to the subject be referred to a select committee of five;

Which was agreed to.

The speaker appointed Messrs. Colley, Leland, Clark, Hastings and Phelps as said committee.

On motion of Mr. Thorp,

The assembly resolved itself into committee of the whole for the consideration of the general file of bills,

Mr. Lown in the chair.

And after some time spent therein, the committee rose and by their chairman reported back to the assembly

No. 67, (A.) A bill in relation to the boundaries of the counties of Adams, Columbia, Chippewa, LaPointe, Richland and St. Croix;

No. 61, (A.) A bill for an act to create a laborer's lieu; and

No. 69, (A.) A bill to amend an act entitled "an act to exempt from forced sale on final process the property therein named;

Without amendments.

And reported progress on the general file, and ask leave to sit again.

Leave was granted.

Mr. Leland moved that said bill No. 67, (A.) be referred to a select committee consisting of the delegation from the counties named in said bill;

Which was agreed to.

Mr. Clark moved that said bill No. 61, (A.) be laid upon the table;

Which was agreed to.

Mr. Strong moved that the further consideration of said bill No. 69, (A.) be indefinitely postponed.

And the question having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered;

Those who voted in the affirmative, were

Messrs. Ayres, Bird, Brown, Burns, Cotton, Clark, Daugherty, Delaney, Fagan, Hill, Solon Johnson, Juneau, Kerr, Keuhn, King, Leland, Lown, Nute, O'Neal, Parkinson, Pierce, Rockwell, Strong, Sugden, Thomas, Thorp, Toland, Townsend, and Hobart, (speaker,)—29.

Those who voted in the negative were

Messrs. Barber, Briggs, Chase, Colwell, Crandall, Crawford, Cross, Flynn, Gillilan, Hastings, Kelsey, Kimball, Martin, Page, Phelps, Pike, Pope, Rickerson, Roys, Warren, Wells, White, Willard, and Young,—24.

Mr. Strong, from the judiciary committee to whom the same had been referred reported adversely to

No. 28, (S.) A bill to amend an act entitled an act to exempt from forced sale on final process the property therein named, approved August 10th, 1848.

Mr. White from the committee on internal improvements, to whom the same had been referred, reported a substitute for

No. 5, (A.) Memorial to congress for an appropriation of land to aid in the construction of a rail road from Lake Michigan to the Mississippi river;

Which was read first and second times.

A message from the senate by their chief clerk,

Mr. Speaker:

I am directed to inform you that the senate has passed the following:

No. 13 (A.) A bill to amend an act to prescribe the mode of proceeding in chancery;

No. 19 (A.) A bill to appropriate to William H. Sullivan the sum therein named;

No. 22 (A.) A bill to legalize the proceedings of a special town meeting in the town of Calumet;

No. 23 (A.) A bill in relation to school district No. 11, in the town of Waukesha;

No. 36, (A.) A bill to authorize the construction of a dam across the Milwaukee river;

No. 41, (A.) A bill to change the name of Lucy Ann Brown Leland to Lucy Ann Brown, and the same to be made heir at law of Benjamin Brown;

Without amendments.

And have concurred in the amendment of the assembly to:

No. 51, (S.) A bill for the distribution of school monies;

And has also passed

No. 22, (S.) A bill to provide for the protection of shade trees, hedges and fences in certain cases;

No. 40, (S.) A bill to vacate a certain street in the village of Cedarburg;

No. 56, (S.) An act to prescribe the terms of the supreme court, and to require the adoption of rules of practice;

No. 57, (S.) A bill in relation to counties and county officers;

In which the concurrence of the assembly is requested.

And has appointed Mr. Sholes as member of the joint committee on part of the senate on

No. 5, (A.) Joint resolution relative to seals;

The senate has concurred in the first, second, fourth, sixth and seventh amendments of the assembly to bill

No. 48, (S.) A bill in relation to state officers;

And has non-concurred in the fifth and eight. amendments of assembly to said bill.

On motion of Mr. Roys,

The assembly adjourned.

THURSDAY, February 15th, 1849.

Prayer by the Rev. Mr. Lord.

The reading of the journal of yesterday was dispensed with.

The question being on receding or insisting on the 5th and 8th amendments of the assembly to

No. 48, (S.) A bill in relation to state officers;

Which were non-concurred in by the senate.

Mr. Strong moved that the assembly insist on the 5th and 8th amendments made by the assembly to said bill;

Which was agreed to.

Mr. Strong moved that a committee of conference, consisting of two members from the assembly, be appointed to confer with a similar committee on the part of the senate, on the disagreeing vote of the two houses to said bill;

Which was agreed to.

The speaker appointed Messrs. Strong and Barber as said committee of conference.

A message from the senate by their chief clerk:

MR. SPEAKER:

I am directed to inform you that the senate has passed

No. 60, (A.) A bill to extend the time of collecting and returning taxes in the town of Eagle, Waukesha county,

Without amendment; and has passed

No. 61, (S.) A bill to appropriate to Beriah Brown the sum therein named; and

No. 62, (S.) A bill to appropriate to R. A. Bird the sum therein named.

In which the concurrence of the assembly is requested.

On motion of Mr. Strong,

The assembly resolved itself into committee of the whole for the consideration of

No. 57, (S.) A bill relating to counties and county officers;

Mr. Daugherty in the chair.

And after some time spent therein the committee rose and by their chairman reported progress, and asked leave to sit again.

Leave was granted.

On motion of Mr. Toland,

The assembly adjourned until half past two P. M.

HALF PAST TWO O'CLOCK, P. M.

Mr. Noble presented the petition of the voters of Fond du Lac praying for the repeal of an act entitled an act to organize school district No. 1, of Fond du Lac for special purposes;

Which was referred to the committee on the judiciary.

Mr. Brown from the committee on claims, reported back to the assembly

No. 44, (S.) A bill to appropriate the several sums therein named;

Without amendment recommending the passage thereof.

Mr. Strong, from the committee on the judiciary, reported back to the assembly

No. 63, (A.) A bill to legalize the proceedings of the collector of the town of Addison in the county of Washington, for the year 1848;

Without amendment, recommending the passage thereof.

The speaker laid before the assembly the following communications from the governor, which were read, as follows, to wit:

MADISON, February 15, 1849.

To the Senate and Assembly:

At the request of the governor of the State of Virginia, I herewith transmit for your consideration Resolutions of the legislature of Virginia relating to the institution of slavery.

NELSON DEWEY.

EXECUTIVE DEPARTMENT,
Madison, February 1st, 1849.

To the Assembly:

I have this day approved, signed and deposited in the office of the secretary of state,

An act entitled "an act to authorize the construction of a bridge across Fox river."

NELSON DEWEY.

Mr. Strong introduced the following resolution, to wit:

Resolved, by the Senate and Assembly, That the governor of this State be requested to transmit to the governor of Virginia to be laid before the legislature of that State, the resolutions passed by the legislature of the state of Wisconsin at its present session, relating to the subject of slavery.

And the question on the adoption of said resolution,

Having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Ayres, Brown, Burns, Chase, Colley, Crandall, Crawford, Cross, Daugherty, Delaney, Fagan, Flynn, Hastings, Solon Johnson, Juneau, Kelsey, Keuhn, King, Leland, Lown, Martin, Nute, O'Niel, Page, Parkinson, Phelps, Pope, Pratt, Rockwell, Strong, Sugden, Toland, Townsend, Wasson, Wells, Willard, Warren, and Young.—38.

Those who voted in the negative were

Messrs. Barber, Briggs, Clark, Gillilan, Hill, Kimball, Pierce, Pike, Rickerson, and Roys,—10.

Mr. Parkinson moved that the following resolution, to wit:

Resolved, by the senate, the assembly concurring, That bill No. 38, (S.) A bill to establish the county seat of La Fayette county, be referred to a joint select committee, consisting of the members of both houses of the legislature from La Fayette county, be taken from the table;

Which was agreed to.

Mr. Parkinson moved to amend said resolution, by adding,

"And the members of the judiciary committee of the senate and the members of the judiciary committee of the assembly;"

Which was agreed to.

And the question on the adoption of the resolution as amended,

Having been put,

It was decided in the affirmative.

Messages from the senate were then taken up.

No. 22, (S.) A bill to provide for the protection of shade trees, hedges and fences in certain cases;

No. 40, (S.) A bill to vacate a certain street in the villlage of Cedarburg;

No. 56, (S.) A bill to prescribe the terms of the supreme court, and to require the adoption of rules of practice;

No. 61, (S.) A bill to appropriate to Beriah Brown the sum therein named; and

No. 62, (S.) A bill to appropriate to R. A. Bird the sum therein named;

Were severally read the first and second times.

On motion of Mr. Strong,

The assembly resolved itself into committee of the whole, for the further consideration of

No. 57, (S.) A bill relating to counties and county officers;

Mr. Daugherty in the chair.

And after some time spent therein the committee rose, and by their chairman, reported progress and asked leave to sit again;

Leave was granted.

Mr. Barber, from the committee on state prisons, submitted a report, which was accepted.

(SEE APPENDIX.)

On motion of Mr. Delaney,

Said report was laid on the table and ordered printed.

The bill referred to in said report, to wit:

No. 73, (A.) A bill to provide for the location of a state's prison,

Was read the first and second times; and ordered to be printed.

Mr. Roys moved that bills Nos. 61 and 62, (S.) be referred to the committee on public printing and stationery;

Which was agreed to.

On motion of Mr. Flynn,

The assembly adjourned.

FRIDAY, February 16th, 1849.

Prayer by the Rev. Mr. Lord.

The journal of yesterday was read.

Mr. Delaney, by leave submitted the following report, which was accepted, to wit:

The committee on printing to whom was referred bills Nos. 61 and 62, (S.) have had said bills under consideration and instructed me to

REPORT

Them back to the assembly without amendments and recommend their passage.

JOHN DELANEY, Chairman.

On motion of Mr. Strong,

The assembly resolved itself into committee of the whole for the further consideration of

No. 57, (S.) A bill relating to counties and county officers;

Mr. Brown in the chair.

And after some time spent therein the committee rose and by their chairman, reported said bill back to the assembly,

With sundry amendments.

And the question being on concurring in the first amendment of the committee of the whole to said bill which was to amend second paragraph in second section by inserting after the word "county," the words "for county buildings;"

It was concurred in.

The second amendment to said bill, which was to strike out the third paragraph of section two.

The third amendment which was, strike out from sections seven to fifteen inclusive, and insert:

"Every county including within its limits a part of any lake or river, shall have civil or criminal jurisdiction in common with any other county including within its limits a part of such lake or river or so much of such lake or river as shall be situated in this state."

The fourth amendment which was to strike out four sections, sixteen to twenty-one inclusive.

The fifth amendment which was to strike out the words "at its own expense," in the first line of the twenty-second section and the words "and fire proof," in the second line of said section

And the sixth amendment which was to strike out sections twenty-four, twenty-six, twenty-seven and twenty-nine;

Were severally concurred in.

And the question being on concurring in the seventh amendment which was to strike out all after the word county in the fifth line of section 33 and insert as follows:

But no board of county supervisors shall issue any county orders, script, certificate or evidence of indebtedness other than the statement of the receipts and expenditures of the county herein provided for.

Mr. Crawford proposed the following amendment, to wit:

Which shall take effect and be in force in two years from and after the passage of this said act;

Which was disagreed to.

And the question being on concurring in the said seventh amendment of the committee of the whole,

On motion of Mr. Toland,

The assembly adjourned until half past two, P. M.

HALF PAST TWO O'CLOCK, P. M.

The pending question being on concurring in the seventh amendment of the committee of the whole to said bill,

Having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Bowron, Burns, Chase, Cotton, Cross, Daugherty, Delaney, Flynn, Gillilan, Hill, Solon Johnson, Keuhn, Kimball, Leland, Martin, Noble, O'Niel, Parkinson, Pierce, Rickerson, Rockwell, Roys, Strong, Thomas, Thorp, Toland, Wassen, Wells, White, and Hobart, (speaker,)—30.

Those who voted in the negative were

Messrs. Ayres, Bird, Briggs, Brown, Colley, Clark, Crandall, Crawford, Fagan, Hastings, Juneau, Kelsey, Kerr, King, Lown, Nute, Page, Phelps, Pike, Pope, Pratt, Townsend, Warren, Willard, and Young.—25.

The eight amendment, which was to strike out all after the word "buildings" in the seventh line of section thirty-three, to the tenth line of said section;

And the ninth amendment which was, add to the fourth paragraph of section thirty-four, the following:

"Provided the majority of the electors of such town or school district shall, at some duly organized meeting vote that such a tax be raised;

Were concurred in.

And the question being on concurring in the tenth amendment, which was, strike out from section 41 to 47 inclusive.

Mr. Kerr moved to amend as follows:

"Whenever the board of supervisors shall deem it best to raise a special tax for the purpose of building or repairing county buildings, or for building, making or repairing bridges or roads, they shall submit the question to the qualified electors at some general election or annual town meeting, by giving at least thirty days notice thereof, by publishing it in some newspaper published in the county if there is any, otherwise by posting up three written or printed notices, in three of the most public places in each town in the county, particularly stating the amount and the object for which it is to be raised, and if a majority of all the votes cast at such election shall be in favor of such special tax, then the board shall proceed to levy and collect such tax on the taxable property in the county, as other taxes are levied and collected, and when so collected shall appropriate it as specified in the notice.

And the question on the adoption of said amendment,

Having been put,

It was decided in the affirmative.

And the question being on concurring in the said 10th amendment of the committee of the whole as amended,

Mr. Strong called for a division of the question.

The speaker decided the question to be divisible.

The question was first put upon striking out and decided in the affirmative.

And the ayes and noes having been called for and ordered

Those who voted in the affirmative, were

Messrs. Bowron, Burns, Chase, Clark, Cross, Daugherty, Delaney, Fagan, Flynn, Gillilan, Hill, Solon Johnson, Juneau, Keuhn, Kimball, King, Leland, Martin, Noble, O'Neal, Parkinson, Phelps, Pierce, Rickerson, Strong, Thorp, Toland, Warren, Wasson, Wells, White, and Hobart, (speaker)—32.

Those who voted in the negative, were

Messrs. Ayers, Bird, Briggs, Brown, Colley, Crawford, Hastings, Kelsey, Kerr, Lown, Nute, Page, Pike, Pope, Pratt, Roys, Townsend, Willard, and Young—19.

The question was then put on inserting the amendment offered by Mr. Kerr,

And decided in the negative.

And the question being on concurring in the eleventh amendment which was to insert between sections 54 and 55 the following section:

The board of supervisors in each county shall, at its annual meeting in every year, appoint three competent persons to constitute a board of examiners of such county, who shall meet at the county seat on the last Mondays of April and September in each year, and publicly examine in such manner as the superintendent of public instruction shall prescribe, all persons who may present themselves as candidates for the office of teachers in the common district and central schools, and shall give certificates to all those whom, on examination they shall deem qualified to teach the branches of study pursued in the district or central schools.

Section —. The board of examiners may hold special meetings for the purpose of examining candidates who shall not have been able to attend the regular meetings of such board; no person who shall not have received a certificate from said board shall be permitted to teach in any common district or central school,

Having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Bowron, Burns, Cotton, Clark, Crawford, Daugherty, Delaney, Fagan, Flynn, Gillilan, Hastings, Hill, Solon Johnson, Kelsey, Kuehn, Leland, Lown, O'Neil, Parkinson, Pierce, Pike, Rickerson, Rockwell, Thomas, Thorp, Toland, Turck. White, and Hobart, (speaker.)—29.

Those who voted in the negative, were

Messrs. Ayres, Brown, Chase, Crandall, Cross, Juneau, Kerr, Kimball, King, Martin, Noble, Nute, Page, Phelps, Pratt, Pope, Roys, Strong, Townsend, Warren, Wasson, Wells, Willard, and Young—24.

The twelfth amendment, which was to amend the bill by striking out the word "a" in the third line of section 56, and inserting the word "official," and by striking out of same section all after the word "treasurer," in the 4th line. Make the same amendment where the same words occur in section 66. Amend section 76 by striking out "a" where it occurs and inserting "an official," and by striking out all after the word "board" in the 5th line, to "and" in the seventh line; amend the 88th section by striking out "a" where it occurs, and inserting "an official" and by striking out all after the word "treasurer," in the third line, to "which" in the 6th line. Strike out the 91st and 120th sections. Amend 134th section by striking out the word "a" where it occurs and inserting "an official," and by striking out all after the word "treasurer" in the 4th line, and amend the 146th section by inserting after the word bond in the 4th line the words "conditioned for the faithful discharge of the duties of his office."

The thirteenth amendment which was, amend by striking out sections 74, 142, and 150.

The 14th amendment which was, amend section 78 by inserting between the words "state" and "of" in the third line, the words "except in cases of common assault and battery;"

The 5th amendment, which was to amend section 80 by inserting the words "increase or" between the words "shall be" and "diminished" in the second line.

The 16th amendment, which was, insert between the words "execute" and the words "the duties of."

The seventeenth amendment, which was, amend section 141 by striking out the words "set opposite" in the 2d line, and "the opposite" in the 3d and 4th lines, and inserting after "on" the word "another."

The 18th amendment, which was, amend by striking out sections 70, 104, and 143.

And amend section 145 by inserting after the word "direct" in the 4th line the words "and shall keep the same open during the usual business hours each day, Sundays excepted, and all books and papers required to be kept in his office shall be open for the examination of any person; and

The 19th amendment, which was to strike out sections 147 and 148,

Were severally concurred in.

The question being on ordering said bill to be engrossed and read the third time,

Mr. Crawford moved to amend said bill by adding after the word "building," in the 3d paragraph of section 33 the words "and bridges;"

Which was disagreed to.

Mr. Briggs moved to amend the bill by inserting the following between section 54 and 55.

No county orders, certificates, or other evidences of debt shall hereafter be issued by any board of county supervisors, unless said boards are empowered so to do by a majority of the qualified voters of each county, and at every annual general election, the question shall be submitted to the legal voters of each county, who shall vote by ballot, on which shall be written or printed as follows, "For the issue of county orders," "against the issue of county orders," and if a majority of all the legal votes cast at such election be for such issue, then the county board of supervisors in those counties so voting shall have the power of issuing orders as prescribed by law; and in those counties where a majority of the legal votes cast are against the issue of county orders, no county orders, certificates, or other evidences of debt shall be issued.

And the question on the adoption of said amendment

Having been put,

It was decided in the affirmative.

Mr. Strong moved that said bill be laid upon the table;

Which was agreed to.

A message from the senate, by their chief clerk.

MR. SPEAKER:

I am directed to inform you that Messrs. Lakin and Gardner have been appointed a committee of conference on the part of the senate on the disagreeing vote of the two houses on the amendments of the assembly to

No. 48 (S.) A bill in relation to state officers.

And have concurred in the following resolution:

Resolved, by the Senate and Assembly, That the governor of this State be requested to transmit to the governor of Virginia to be laid before the legislature of that State, the resolutions passed by the legislature of the state of Wisconsin at its present session, relating to the subject of slavery.

And have non-concurred in the amendments of assembly to resolution relative to bill No. 38 (S.) referring said bill to a joint select committee consisting of the members of both houses of the legislature from the county of LaFayette;

And have passed

No. 53 (S.) a bill in relation to the regulation of vacancies, and removals, and of supplying vacancies.

The senate has also adopted the following resolution:

Resolved, by the senate and assembly, That the librarian be authorized to distribute one copy of the journals of the last session of the legislature to each of the members of the last and present legislature;

In which the concurrence of the assembly is requested.

And have passed

No. 6, A joint resolution relative to salaries of officers of the university, and in relation to approving of the proposed site and plan of the university buildings,

Without amendments.

And has adopted the following resolution:

Resolved, by the senate and assembly, That a joint select committee be appointed consisting of three members of the senate and five members of the assembly, whose duty it shall be to compile the statute laws of the state which have not been acted on by the commissioners to revise the laws—that the said committee divide the laws to be compiled and acted upon at the present session, into convenient chapters, and make such changes and alterations as will make them conform to and harmonize with the change from a territorial to a state form of government—that they report the same as speedily as possible to the legislature for action, and that they be authorized to employ two or more clerks to aid in doing the necessary writing for the accomplishment of said work;

In which the concurrence of the assembly is requested.

Petitions, &c., were presented, by leave, as follows:

By Mr. Clark:

Three petitions and a remonstrance of the inhabitants of Winnebago county in relation to the construction of a bridge across the Fox river at Neenah;

Referred to the committee on roads, bridges and ferries.

By Mr. Noble:

The petition of Joseph Stow and others of Fond du Lac, on the subject of the license law;

Referred to the select committee on that subject. Also,

A petition from the voters of town 17, range 20, Calumet county, praying for town organization;

Referred to the committee on town and county organization. Also,

The petition of the voters of Fond du Lac praying that Fond du Lac river be declared navigable;

Referred to the committee on roads, bridges and ferries.—Also,

The communication of the secretary of the board of trustees of the Lawrence Institute, praying for an alteration in their charter;

Referred to the judiciary committee. Also,

The communication of William Dickinson of Depere, on the subject of the improvement of the Fox and Wisconsin rivers;

Referred to the committee on internal improvements. Also,

The petition and remonstrance of the voters of Fond du Lac county, on the subject of town organization:

Referred to the committee on town and county organization.

By Mr. Townsend:

The petition of citizens of town 19, range 16, for the organization of the town of Vinland;

Referred to the same committee.

By Mr. Thomas:

The petition of Thomas Walsh and George Crandall and others for a road from Merton to Milwaukee;

Referred to the same committee.

By Mr. Hastings:

The petition of James McNish and 55 others of the town of Geneva, Walworth county, praying for the repeal of all laws licensing the sale of intoxicating drinks;

Referred to the committee on that subject.

By Mr. Crawford:

The memorial of the trustees of the Green County Seminary, for the vacation of part of a street in the town of Monroe;

Referred to a select committee, consisting of Messrs. Crawford, Phelps and Chase.

Mr. Wells, by leave, introduced

No. 74, (A.) A bill to consolidate and amend an "act entitled an act to incorporate Carroll College," approved January 31, 1846, and act amendatory thereto, approved January 25, 1847;

Which was read the first and second times and referred to a select committee consisting of

Messrs. Wells, Cross, Rockwell, Strong and Sugden.

Mr. Cross, by leave, introduced the following resolutions, adopted by the citizens of the city of Milwaukee, viz:

Resolved, That the people of the several counties, towns and incorporated villages, along the route of the proposed rail road from Milwaukee to the Mississippi river, are hereby requested and urged to co-operate with us in every proper and practicable method in pressing forward the work of its construction, and for that purpose that they by their proper officers, consent to subscribe for stock, and to levy on the property within their limits a tax equal in amount to the tax proposed to be raised by the city of Milwaukee for the same purpose.

Resolved, That the legislative assembly be and is hereby requested to pass a law authorizing the proper officers of the several counties, towns and incorporated villages, along the route of said proposed railroad to subscribe for capital stock in such road, and to levy annually a tax on their property within their limits to provide for the payment of such stock.

Resolved, That our senators and representatives in the legislative assembly be requested to urge the passage of the bill approved by this meeting.

Mr. Cross, also, by leave, introduced

No. 75, (A.) A bill to enable the city of Milwaukee to aid in the construction of a railroad from that city to the Mississippi;

Which was read the first and second times and referred to a select committee, consisting of one from each of the several counties of Milwaukee, Waukesha, Jefferson, Dane, Green, Iowa, Grant and LaFayette.

Mr. Wells moved that

No. 58, (A.) A bill to restore the name and rights of the Prairieville Academy,

Be taken from the table and referred to the select committee to whom was referred bill No. 74, (A.)

Which was agreed to,

Mr. Kerr, from the committee on enrolled bills, submitted the following report, viz:

The committee on enrolled bills, beg leave to report they have examined

No. 51, (S.) A bill for the distribution of school moneys;

No. 13, (A) A bill to amend an act to prescribe the mode of proceeding in chancery;

No, 23, (A.) A bill in relation to school district number eleven, in the town of Waukesha;

No. 36, (A.) A bill to authorize the construction of a dam across the Milwaukee river;

No. 34, (A.) A bill to vacate the town plat of the town of Victory, in the county of Dodge;

No. 19 (A.) A bill to appropriate to William H. Sullivan the sum therein named;

No. 60, (A.) A bill to extend the time of collecting and returning taxes in the town of Eagle in Waukesha county;

No. 41, (A.) A bill to change the name of Lucy Ann Brown Leland to Lucy Ann Brown, and that the same be made heir at law of Benjamin Brown; and

No. 22, (A.) A bill to legalize the proceedings of a special town meeting in the town of Calumet;

And find them correctly enrolled.

The said bills were thereupon signed by the speaker and transmitted to the senate.

The speaker laid before the assembly a communication from the chief clerk, which was read as follows, to wit:

ASSEMBLY CHAMBER,
Madison, February 16, 1849.

To the Assembly:

In making up the daily journals of the assembly, I find it necessary to refer to former proceedings of the legislature, and have called on the state librarian for a copy of the journals of each house of the last session, but am informed by the librarian that he has no authority to deliver me such copies.

Very respectfully, your obedient servant,
R. L. REAM, *Chief Clerk.*

On motion of Mr. Rickerson,

The assembly adjourned.

SATURDAY, February 17th, 1849.

Prayer by the Rev. Mr. Lord.

The reading of the journal of yesterday was dispensed with.

A message from the senate by their chief clerk:

Mr. Speaker:

I am directed to inform you that the senate has passed No. 71, (A.) A bill to provide for elections other than town officers;

With amendments;

In which the concurrence of the assembly is requested.

The message from the senate was taken up,

And the question being on concurring in the amendments of the senate to said bill No. 71, (A.) the first amendment of the senate, which was,

Amend section 6, in 2nd line by striking out the words "may be," and inserting "practicable,"

Was concurred in.

The question on concurring in the second amendment, which was,

Amend section 14, by striking out the words "sheriff of the county," and insert "chairman of the board of county supervisors,"

Having been put,

It was decided in the negative.

The third amendment, which was to amend the bill by striking out section 17; and

The fourth amendment, which was to strike out section 18, and insert,

Section. The town clerk of every town, or inspector in any ward of any city, ten days previous to any general election, or on receiving either of the notices directed in this chapter, to be delivered to him, shall give notice in writing under his hand, to the electors of his town or ward, of the time and place at which such election is to be held, and of the officers to be chosen, and if the notice is for a general election, it shall state whether any of the officers then to be chosen are to fill vacancies, and the names of the last incumbents of the offices in which vacancies exist, and such town clerk or inspectors shall cause such notices to be posted up conspicuously, in at least five of the most public places in his town or ward;

Were severally concurred in.

And the question on concurring in the fifth amendment, which was,

Amend section 33, by adding "unless it shall be proved by evidence satisfactory to a majority of the board of inspectors that such person does not possess the qualifications of an elector;"

Having been put,

It was decided in the negative.

The question being on concurring in the sixth amendment, which was,

Add to section 94, "provided that if the election first named in this section shall not be held on the third Monday of January, it may be held on any subsequent day;

Having been put,

It was decided in the affirmative.

A message from the senate by their chief clerk,

Mr. Speaker:

I am directed to inform you that the senate has adopted the recommendations contained in the report of the committee of conference on the disagreeing vote of the two houses on the amendments of the assembly to bill

No. 48, (S.) A bill relating to state officers;

No. 53, (S.) A bill in relation to resignations, vacancies and removals and supplying vacancies.

Was read the first and second times, and

On motion of Mr. Wells,

The assembly resolved itself into committee of the whole for the consideration of said bill No. 53, (S.)

Mr. Pratt in the chair.

After some time spent therein the committee rose, and by their chairman, reported said bill back to the assembly with amendments.

The amendments of the committee of the whole to said bill, were concurred in.

And the question being on ordering said bill to be read the third time,

Mr. Strong moved to amend said bill by adding another section after section 3, as follows:

"The governor may remove from office, any sheriff, coroner, register of deeds, or district attorney, giving to such officer a copy of the charges against him, and an opportunity to be heard in his defence."

And the question on the adoption of said amendment,

Having been put,

It was decided in the affirmative.

The said bill No. 53, (S.) was then ordered to be read the third time.

Mr. Wells moved that

No. 57, (S.) A bill relating to counties and county officers;

Be taken from the table;

Which was agreed to.

Mr. Clark moved that the vote by which the eleventh amendment of the committee of the whole to said bill, was adopted, be re-considered;

Which was agreed to.

And the question being on concurring in said eleventh amendment,

Mr. Burns moved a call of the assembly,

Which was ordered, and

Messrs. Crandall, Thomas and Townsend, were reported absent.

On motion of Mr. Wells,

Mr. Crandall was excused.

The sergeant-at-arms was sent for the absentees, and after some time, reported in attendance, Messrs. Thomas and Townsend.

And the question on the adoption of said amendment having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Alden, Bowron, Burns, Colley, Cotton, Clark, Crawford, Daugherty, Delaney, Fagan, Flynn, Gillilan, Hastings Hill, Solon Johnson, Kelsey, Keuhn, Parkinson, Pierce, Rockwell, Thomas, Thorp, Toland, Turck, White and Hobart, (speaker,)—26.

Those who voted in the negative, were

Messrs. Ayers, Bird, Briggs, Brown, Chase, Cross, Hazard, Juneau, Kerr, Kimball, King, Leland, Lown, Martin, Noble, Nute, O'Niel, Page, Phelps, Pike, Pope, Pratt, Rickerson, Roys, Strong, Townsend, Warren, Wasson, Wells, Willard, and Young,—31.

The question being on ordering said bill to be read the third time,

Mr. Cross moved to amend the same by adding to section 81, as follows:

"Nor shall any district attorney while in office, be eligible to, or hold any judicial office whatsoever;"

Which was agreed to.

The speaker announced as the committee to whom was referred

Resolutions adopted by the citizens of Milwaukee relative to a railroad. Also,

No 75, (A.) A bill to enable the city of Milwaukee to aid in the construction of a railroad from that city to the Mississippi,

Messrs. Cross, Wells, Nute, Rickerson, Burns, Gillilan and Parkinson.

On motion of Mr. Hill,

The assembly adjourned.

MONDAY, February 19th, 1849.

Prayer by the Rev. Mr. Lord.

The journal of yesterday was read.

A message from the senate by their chief clerk:

MR. SPEAKER:

I am directed to inform you that the senate has receded from its non-concurrence in the second and fifth amendments of assembly to bill

No. 71, (A.) A bill to provide for elections, other than town officers.

And has passed

No. 20, (A.) A bill relating to towns and town officers;

With amendments,

In which the concurrence of the assembly is requested.

And that senate has passed

No. 64 (S.) An act to provide for the removal of the county seat of Washington county, and for the permanent location thereof.

In which the concurrence of the assembly is requested.

The report of the commissioners to revise the laws being in order,

On motion of Mr. Burns, said report, to wit:

No. 76 (A.) A bill in relation to the assessment and collection of taxes.

Was read the first and second times.

And, on motion of Mr Strong,

The assembly resolved itself into committee of the whole for the consideration of said bill, No. 76, A.

Mr. Hastings in the chair.

And after some time spent therein the committee rose and by their chairman reported progress thereon and asked leave to sit again.

Leave was granted.

Mr. Strong, from the committee of conference on the disagreeing vote of the two houses on the amendments of assembly to bill

No. 48 (S.) A bill in relation to state officers,

Reported as follows:

The committee of conference to whom was referred Bill No. 48, (S.) and the disagreeing vote of the two houses upon the 5th and 8th amendments made to the same by the assembly,

REPORT:

and recommend that the 5th amendment be so amended, that the words proposed by the assembly be stricken out, and the words "payable quarterly in advance," be inserted after the word "annum," in the 43d section of said bill.

And your committee recommend that the 8th amendment proposed by the assembly to said bill be so modified, that sections 53 and 54 be stricken out instead of sections 54 and 55.

GEORGE W. LAKIN,
E. T. GARDNER,
Of the senate.
M. M. STRONG,
HIRAM BARBER,
Of the assembly.

On motion of Mr. Burns, the said report was adopted.

And the question being on ordering

No. 57, (S.) A bill relating to counties and county officers;

To be read the third time,

Mr. Strong moved that the rule requiring motions to reconsider to be made on the same or succeeding day be suspended;

And the question having been put,

It was decided in the affirmative.

And the ayes and noes having been called for, and ordered,

Those who voted in the affirmative, were

Messrs. Alden, Ayers, Bowron, Burns, Colwell, Colley, Cotton, Cross, Daugherty, Delaney, Fagan, Flynn, Gillilan, Hazard, Hill, W. H. Johnson, Solon Johnson, Kerr, Kuehn, Leland, Martin, Noble, Nute, O'Neill, Parkinson, Pierce, Reymert, Rickerson, Rockwell, Roys, Strong, Thomas, Thorp, Toland, Turck, Wasson, Wells, White, Willard, and Hobart, (speaker,)—40.

Those who voted in the negative, were

Messrs. Bird, Briggs, Clark, Crandall, Crawford, Hastings, Juneau, Kelsey, King, Lown, Page, Phelps, Pike, Pope, Pratt, Townsend Warren and Young.—18.

Mr. Strong moved that the vote by which the following amendment to said bill, No. 57 (S.) was adopted, be re-considered, to wit:

No orders, certificates of debt, shall hereafter be issued by any board of county supervisors unless said county boards are empowered so to do by a majority of the qualified voters of each county, and at every annual general election the question shall be submitted to the legal voters of each county, who shall vote by ballot, on which shall be written or printed as follows: "For the issue of county orders," "against the issue of county orders;" and if a majority of all the legal votes cast at such election be for such issue, then the county board of supervisors in those counties so voting shall have the power of issuing county orders as prescribed by law, and in those counties where a majority of the legal votes cast are against the issue of county orders, no county orders, certificates or other evidences of debt shall be issued.

Mr. Hill moved a call of the assembly,

Which was ordered;

And the roll having been called,

Messrs. Brown, Kimball, and Pierce were reported as absent.

Mr. White moved that all further proceedings under the call be dispensed with;

Which was agreed to.

Mr. Kerr, from the committe on enrolled bills, submitted the following report:

The committee on enrolled bills beg leave to report

That they did on Saturday present to his excellency the governor for his approval

Joint resolution relative to seals;

A memorial to Congress on the subject of a mail route from Waukesha to Cedarburg;

An act to legalize the proceedings of a special town meeting in the town of Calumet;

An act to vacate the town plat of the town of Victory in the county of Dodge;

An act to authorize the construction of a dam across the Milwaukee river;

An act to extend the time of collecting and returning taxes in the town of Eagle, Waukesha county;

An act in relation to school district No. 11, in the town of Waukesha;

An act to appropriate to William H. Sullivan the sum therein named.

An act to amend an act entitied an act to prescribe the mode of proceeding in chancery;

An act to change the name of Lucy Ann Brown Leland to

Lucy Ann Brown, and the same to be made heir at law of Benjamin Brown;

Joint resolution relative to printing the laws;

An act for the distribution of school money.

The said bills were thereupon signed by the speaker and transmitted to the senate.

On motion of Mr. Thomas,

The assembly adjourned until half past two, P. M.

HALF PAST TWO O'CLOCK, P. M.

Mr. Strong moved that the rules adopted for the transaction of business during this session which provide that the afternoon session of each day be devoted to the general order of business, be suspended;

Which was agreed to.

And the question being on reconsidering the vote by which the assembly adopted the amendment relative to county orders, certificates, &c.,

Having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Alden, Ayers, Bowron, Burns, Chase, Colwell, Colley, Cotton, Cross, Delaney, Fagan, Flynn, Hazard, Hill, W. H. Johnson, Solon Johnson, Kerr, Keuhn, Kimball, King, Leland, Martin, Noble, Nute, O'Niel, Parkinson, Pierce, Pope, Reymert, Rickerson, Rockwell, Roys, Strong, Thorp, Toland, Turck, Wasson, Wells, Willard, and Hobart, (speaker,)—40.

Those who voted in the negative, were

Messrs. Bird, Briggs, Brown, Clark, Crandall, Crawford, Gillilan, Hastings, Juneau, Kelsey, Lown, Page, Phelps, Pike, Pratt, Townsend, Warren, and Young,—18.

The question being on the adoption of the amendment in relation to town orders, certificates, &c.,

Mr. Clark moved to amend the amendment by striking out the word "every," and insert, "the next;"

Which was agreed to.

And the question on the adoption of the amendment as amended,

Having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Bird, Briggs, Brown, Clark, Crandall, Crawford, Gillilan, Hastings, Juneau, Kelsey, King, Lown, Nute, Page, Phelps, Pike, Pope, Pratt, Townsend Warren and Young.—21.

Those who voted in the negative, were

Messrs. Alden, Ayers, Bowron, Burns, Chase, Colwell, Colley, Cotton, Cross, Daugherty, Delaney, Fagan, Flynn, Hazard, Hill, W. H. Johnson, Solon Johnson, Kerr, Kuehn, Kimball Leland, Martin, Noble, O'Neill, Parkinson, Pierce, Reymert, Rickerson, Rockwell, Roys, Strong, Thomas, Thorp, Toland, Turck, Wasson, Wells, White, Willard, and Hobart, (speaker.)—40.

And the question being on ordering said bill

No. 57, (S.) A bill relating to counties and county officers,

To be read the third time,

Mr. Strong moved to amend said bill by striking out from section 33, all after the word "county" in the 5th line to the 7th line;

By striking out all after the word "duties" in the 37th section;

By striking out all in the 7th line of section 59 to the word "to" in said line;

By striking out section 61;

By striking out all of sections 124 after the word "him," where it first occurs in the third line of said section, and by striking out section 126.

And the question on the adoption of said amendment,

Having been put,

It was decided in the affirmative.

Mr. Strong moved further to amend said bill,

By striking out section 52 as numbered in senate bill, and by inserting instead of said section 52 the following, to wit:

"Every demand against any county shall be audited by the board of supervisors thereof, and after the same shall have been passed upon the chairman of the board shall note at the foot of such account or claim the amount at which it is audited, the date of auditing the same, and officially signed the same in substance, as follows;

Audited this——day of——18— at $——

A. B., Chairman.

When such account or claim has been thus audited, it shall be delivered to the owner thereof, and the amount at which the same was audited, shall be paid by the treasurer of the county upon presentation, and shall also be receivable for county taxes by all collectors.

No money shall be paid out of the county treasury except in the manner provided in the preceding section, or in accordance with other provisions of law.

The board of supervisors, at their annual meeting in each year (or oftener if they deem it necessary,) shall carefully examine the audited claims returned by the county treasurer, by comparing each one with the record of the same in the clerk's office, and shall write the word 'paid' in legible characters across each claim so paid, and cause the same to be filed away in the clerk's office. They shall also make a complete list of the claims so passed upon; specifying the date, amount, and the person to whom the same was due, which statement shall be entered at length on the journal of the board. No claim against any county shall be audited unless it shall be presented to the board within two years after it shall have accrued."

No interest shall be paid upon any audited claim against any county.

Whenever any claim shall be audited against any county, the clerk of the board shall enter upon the record of proceedings the amount at which such claim was audited, the person to whom, and the date of such auditing.

Mr. Clark called for a division of the question.

The speaker decided the question to be divisible.

And the question on striking out said section 52, senate bill

Having been put,

It was decided in the affirmative.

And the question then being on inserting the amendment proposed by Mr. Strong,

Having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Ayers, Briggs, Chase, Colwell, Colley, Clark, Crandall, Crawford, Cross, Daugherty, Fagan, Flynn, Gillilan, Hastings, W. H. Johnson, Juneau, Kelsey, Kerr, Keuhn, Kimball, King, Lown, Martin, Nute, O'Neal, Page, Phelps, Pope, Pratt, Reymert, Strong, Thorp, Toland, Townsend, Warren, Wells, Willard, Young, and Hobart, (speaker,)—40.

Those who voted in the negative were

Messrs. Alden, Bird, Bowron, Burns, Cotton, Delaney, Hazard, Hill, Solon Johnson, Leland, Noble, Parkinson, Rockwell, Roys, Thomas, Turck, Wasson, and White—21.

Mr. Strong moved further to amend said bill, by striking out all of the 10th line of section No. 59 to the word "board" inclusive, and all of section 60 to the word "allowed" inclusive, in the 3rd line of said section.

And the question on the adoption of said amendment,

Having been put,

It was decided in the affirmative.

Mr. Kelsey moved to amend said bill by adding to section 75, as follows:

And it is hereby made the duty of the clerks of the District courts whose duty it was to receive a tax of one dollar on suits as provided by section 17 of an act entitled "an act to provide for the elections of the judges and the classification of the judiciary of the state of Wisconsin, approved June 29, 1848," to pay over to their successors in office within twenty days from the passage of this act all moneys which may be or should have been by said clerks received as prescribed by said act.

And the question on the adoption of said amendment,

Having been put,

It was decided in the affirmative.

The said bill was then ordered to be read the third time.

No. 57, (S.) A bill relating to counties and county officers;

Was then read the third time, passed, and the title thereof agreed to.

Mr. Kerr, from the committee on enrolled bills, submitted the following report, to wit:

The committee on enrolled bills, beg leave to report that they have examined

No. 35, (S.) A bill to authorize H. S. Allen, Storer Rines, and Moses Rines and their associates, to construct and maintain a boom in Chippewa river, in the county of Chippewa;

No. 6, (A.) Joint resolutions relative to salaries of officers of the university, and in relation to approving of the proposed site and plan of the university buildings;

And find them correctly enrolled.

The said bills were thereupon signed by the speaker and transmitted to the senate.

Mr. Strong, from the judiciary committee to whom the same had been referred, reported back to the assembly,

No. 25, (A.) A bill to repeal certain acts therein mentioned;

Without amendment, recommending the passage thereof.

The report was accepted.

The speaker laid before the assembly a communication from the governor, which was read as follows, to wit:

To the assembly:

Bills of the following titles, to wit:

An act to change the name of Lucy Ann Brown Leland to Lucy Ann Brown, and that the same be made the heir at law of Benjamin Brown;

An act to appropriate to William H. Sullivan the sum therein named.

An act to authorize the construction of a dam across the Milwaukee river;

An act to legalize the proceedings of a special town meeting in the town of Calumet;

An act in relation to school district number seven, in the town of Hustisford;

An act to amend an act entitled an act to prescribe the mode of proceeding in chancery;

An act to vacate the town plat of the town of Victory in the county of Dodge;

An act to extend the time of collecting and returning taxes in the town of Eagle, Waukesha county; and

Joint resolution relative to seals;

Were on the 17th instant, approved and signed by me and deposited in the office of the secretary of state.

NELSON DEWEY.

EXECUTIVE DEPARTMENT,
Madison, February 19th, 1849.

A message from the senate by their chief clerk:

MR. SPEAKER:

I am directed to inform you that the senate has passed.

No. 38, (A.) A bill to authorize the city of Racine to aid in the construction of a plank road;

Without amendment.

Mr. Rickerson introduced the following resolution, to wit:

Resolved, That after the reading of the journals in the morning, one hour of each day shall be devoted to business other than the reports of the revisors of the laws,

Which was laid over one day under the rules.

Mr. Thorp, by leave, introduced

No. 77, (A.) A bill to incorporate the Salem Cemetery Society;

Which was read first and second times.

On motion of Mr. Delaney,

No. 61, (S.) A bill to appropriate to Beriah Brown the sum therein named;

Was taken from the general file.

And the rules having first been suspended for that purpose,

Said bill was read the third time.

And the question on the passage of said bill,

Having been put, (three-fifths of the members being present,)

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Alden, Ayres, Bird, Bowron, Briggs, Burns, Chase, Colwell, Colley, Clark, Crawford, Cross, Delaney, Fagan, Flynn, Gillilan, Hastings, Hazard, Hill, W. H. Johnson, Solon Johnson, Kelsey, Kerr, Keuhn, King, Leland, Martin, Noble, Nute, O'Neal, Page, Parkinson, Phelps, Pierce, Pike, Pope, Pratt, Reymert, Rickerson, Rockwell, Roys, Strong, Thomas, Thorp, Toland, Townsend, Turck, Warren, Wasson, White, Willard, Young, and Hobart, (speaker,)—54.

Mr. Wells voted in the negative.

The title of said bill was then agreed to.

On motion of Mr. Bowron,

No. 54, (A.) A bill to organize the county of St. Croix, for judicial purposes, and to attach the county of Lapointe thereto for such purposes;

Was taken from the table.

The said bill was then read the third time, passed, and the title thereof agreed to.

Mr. Solon Johnson, by leave, introduced

No. 78, (A.) A bill to authorize the treasurer of the town of Belgium in the county of Washington, to receive certain monies;

Which was read the first and second times.

On motion of Mr. White,

No. 57, (A,) A bill to amend the act entitled "an act to establish the times of holding circuit courts;"

Was taken from the table, and

Re-committed to the committee consisting of one member from each of the counties therein named.

The messages from the senate were taken up, and

The question being on insisting on the amendment of the assembly to

Resolutions relative to referring No. 38, (S.) to joint select committee,

Having been put,

It was decided in the affirmative.

And the question being on concurring in the joint resolution relative to the distribution of the copies of the journal of the last session of the legislature,

Mr. Bowron moved to amend the same, by inserting the words "and also one copy to each of the officers of this legislature;"

Which was agreed to.

And the resolution as amended was concurred in.

And the following resolution, to wit:

Resolved, by the senate and assembly, That a joint select committee be appointed consisting of three members of the senate, and five members of the assembly, whose duty it shall be to compile the statute laws of the state which have not been acted upon by the commissioners to revise the laws; that the said committee divide the laws to be compiled and acted upon at the present session into convenient chapters, and make such changes and alterations as will make them conform to and harmonize with the change from a territorial to a state form of government; and that they report the same as speedily as possibly to the legislature for action, and they they be authorized to employ two or more clerks to aid in doing the necessary writing for the accomplishment of the said work;

Was concurred in.

And the question being on concurring in the first amendment of the senate to

No. 20, (A.) A bill relating to towns and town officers;

On motion of Mr. Strong,

The assembly adjourned.

TUESDAY, February 20th, 1849.

Prayer by the Rev. Mr. Penman.

The reading of the journal of yesterday was dispensed with.

The question pending, being on concurring in the amendments of the senate to

No. 20 (A.) A bill relating to towns and town officers;

The first amendment of the senate, which was,

Amend section 37 by inserting after the word "received," in the 5th line, the words "the greatest and."

The second amendment, which was,

Amend section 74, by striking out in the second and third line the words "as prescribed in the preceding section or audited and allowed."

And the third amendment, which was,

Amend section 79, by striking out the words "in chapter," in the 4th and 5th lines of the section,"

Having been put,

It was decided in the affirmative.

No. 53, (S.) a bill in relation to the regulation of vacancies, and removals, and of supplying vacancies,

Was read the third time, passed, and the title thereof agreed to.

Mr. Bowron moved that the senate be requested to return to the assembly the joint resolution in relation to referring bill No. 30, (S.) to a committee consisting of the committees on the judiciary of both houses;

Which was disagreed to.

Mr. Burns, from the committee on education and school lands, to whom had been referred

No. 32, (S.) A bill relating to common schools;

Submitted the following report, which was accepted:

The committee on education and school lands to whom was referred

No. 32, (S.) A bill relating to common schools;

Have had the same under consideration and instructed me to

REPORT

That it is the unanimous opinion of the committee that a system of central schools should at an early day be adopted in each and every town within the state. Your committee would therefore respectfully present the sections herewith submitted tending directly to promote the object in view, as an amendment to said bill, and unanimously recommend its adoption.

TIMOTHY BURNS, *Ch'n.*

Section There may be established in every town, by a majority of the legal voters in such town, one or more central schools, in which shall be taught in addition to the branches of learning taught in the district schools, history, book-keeping, surveying, geometry, algebra, natural philosophy, political economy, chemistry and such other branches of learning as the school board shall direct. Such school or schools, shall be kept for the instruction of all children of such town above the age of twelve years, (who shall have received a certificate from the examining committee, as herein provided,) five months at least in each year, and at such convenient place or places in the town as the voters shall determine.

Section. The town superintendent and such other persons as the chairman of the town board of supervisors may appoint, shall on examination recommend by certificate to the central schools any pupils in the district school over twelve years of age, whom they may deem qualified to enter upon the higher studies pursued in such central schools.

Section. Every town in which such central school or schools shall be established, shall at its annual town meeting raise by tax upon the taxable property of such town, such sum as shall be necessary for the support of such school or schools, and for furnishing a library and apparatus for the same. Such tax shall be assessed and collected in the same manner as is provided in the case of district schools.

Section. Such central school or schools shall receive a portion of the income of the school fund proportioned to the number of scholars attending the same, resident in the town, between the ages of 12 and 20 years; which sum shall be deducted by the town superintendent from the amount apportioned to such town and paid over to the treasurer of such central school.

Section. The chairman of the board of supervisors, clerk and treasurer of such town, shall constitute the school board of such central school, and shall have and possess the same powers conferred, and be subject to the same penalties imposed upon district boards.

A message from the senate by their chief clerk,

MR, SPEAKER:

I am directed to inform you that the senate has passed

No. 47, (S.) A bill to provide for the publication of legal decisions;

No. 54, (S,) A bill to amend an act entitled "an act to prescribe the mode of proceeding in chancery;"

In which the concurrence of the assembly is requested.

Also has passed

No. 12, (A.) A bill to vacate part of the town plot of the village of Janesville, in Rock county;

Without amendment.

In which the concurrence of the assembly is requested.

On motion of Mr. Strong,

The assembly resolved itself into committee of the whole for the consideration of

No. 32, (S.) A bill relating to common schools;

Mr. Juneau in the chair.

And after some time spent therein the committee rose and by their chairman reported said bill back to the assembly without amendment.

Mr. Burns moved that the amendment proposed by the committee on education and school lands be adopted.

Pending the question,

On motion of Mr. Lown,

The assembly adjourned until half past two, P. M.

HALF PAST TWO O'CLOCK, P. M.

The speaker appointed Messrs. Cross, Burns, Strong, Noble and Crandall, as the committee on the part of the assembly under

The joint resolution in relation to the compilation of the statute laws which have not been acted upon by the board of revisors.

Petitions were severally presented and referred, as follows:

By Mr. Noble:

A petition from the mechanics and laborers of Fond du Lac, for a laborers lien law;

Referred to a select committee of three, consisting of Messrs. Noble, Roys, and Delaney. Also,

A petition for the alteration of the charter of the Lawrence Institute;

Referred to the judiciary committee.

By Mr. White:

The petition of Wm. A. Hawkins and 90 others, for the passage of an act authorizing the construction of a bridge across the Milwaukee river in the city of Milwaukee; which,

On motion of Mr. White,

Was referred to the members of this house from the city of Milwaukee.

By Mr. Kimball:

The remonstrance of Sheldon Fox and 29 others, inhabitants of Lowell, Dodge county, against setting off any of said town and attaching the same to Fairfield;

Referred to the select committee to whom was referred bill No. 51, (A.)

The resolution introduced by Mr. Nute on a previous day, to wit:

Resolved, That hereafter the morning sessions of the assembly commence at 9 o'clock,

Was taken up,

And the question being on the adoption thereof,

Mr. Clark moved to amend the same by inserting the words "half past," between the words "at" and "nine;"

Which was disagreed to.

The question on the adoption of said resolution,

Having been put,

It was decided in the affirmative.

The resolution introduced by Mr. Rickerson on yesterday, to wit:

Resolved, That after the reading of the journals in the morning, one hour of each day shall be devoted to business other than reports of the revisers of the laws,

Was taken up.

And the question on its adoption,

Having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Alden, Bird, Briggs, Brown, Burns, Chase, Clark, Cross, Fagan, Hill, Solon Johnson, Keuhn, Kimball, Martin, Noble, Nute, Parkinson, Pope, Reymert, Rickerson, Rockwell, Roys, Thomas, Turck, Wasson, Wells, White, Young, and Hobart, (speaker,)—29.

Those who voted in the negative were

Messrs. Bowron, Colwell, Colley, Crawford, Crandall, Daugherty, Delaney, Flynn, Gillilan, Hastings, Hazard, Kelsey, Kerr, King, Leland, Lown, O'Niel, Page, Phelps, Pierce, Pike, Pratt, Strong, Thorp, Toland, and Warren,—26.

Mr. Martin introduced the following resolution, which was adopted, to wit:

Resolved, That the use of this hall be and hereby is granted to the order of Odd Fellows on Thursday afternoon, the 22nd inst.

Mr. Roys introduced the following resolution, which was adopted, to wit:

Resolved, That the committee on the judiciary be instructed to report a bill providing in what manner and in what courts suits may be brought against the state.

Mr. Leland introduced the following resolution, which was adopted, to wit:

Resolved, That the honorable speaker be requested to fill the vacancy in the committee on internal improvements, occasioned by the absence of Mr. Meade.

Mr. Colley introduced the following resolution:

Resolved, That the use of this hall be granted to the Rev. Mr. Read for divine worship on the Sabbath, during the session of the present legislature.

Mr. Delaney moved that said resolution be laid upon the table;

Which was agreed to.

Mr. Wells, from the select committee to whom the same had been referred, reported back to the assembly

No. 58, (A.) A bill to restore the name and rights of the Prairieville Academy,

With an amendment. Also,

No. 74, (A.) A bill to consolidate and amend an "act entitled an act to incorporate Carroll College," approved January 31, 1846, and act amendatory thereto, approved January 25, 1847;

Without amendment, and recommended the passage thereof.

The report was accepted.

Mr. Brown, from the committee on claims, reported

No. 97, (A.) A bill to audit the claims of Racine county; also,

No. 80, (A.) A bill to appropriate to David Holt the sum therein named;

Which were severally read the first and second times.

Mr. Martin, by leave, introduced

No. 81, (A.) A bill relating to attorneys;

Which was read first and second times.

Mr. Roys, from the committee on town and county organization, reported

No. 82, (A.) A bill to divide the town of Cottage Grove in Dane county, into two separate towns;

No. 83, (A.) A bill to amend an act, approved August 19th, 1848, entitled "an act to organize the several towns therein named;"

No. 81, (A.) A bill to change the name of the town of Butte des Mortes, in the county of Winnebago;

No. 85, (A.) A bill to organize the town of Primrose, in Dane county; and

No. 87, (A.) A bill to organize the town of New Holsten in Calumet county;

Which were severally read the first and second times.

Mr. Leland from the select committee to whom had been referred

No. 67, (A.) A bill in relation to the boundaries of the counties of Adams, Columbia, Chippewa, LaPointe, Richland and St. Croix;

Reported a substitute for said bill;

Which was read the first and second times, and ordered printed.

A message from the senate, by their chief clerk.

MR. SPEAKER:

I am directed to inform you that the senate has concurred in the amendment of the assembly to

Resolution in relation to the distribution of journals of the last session of the legislature; and

That Messrs. Lakin and Dennis have been appointed a joint select committee on the part of the senate on

Resolution to appoint a joint select committee to compile the statute laws which have not been acted on by the commissioners to revise the laws; and

That the senate adhere to their non-concurrence in the amendment of the assembly to

Resolution in relation to referring bill No. 38, (S.) to a joint select committee; and

That the senate has concurred in the 8th, 14th, 15th and 16th amendments of the assembly to bill

No. 57. (S.) A bill relating to counties and county officers; and

Has non-concurred in the 1st, 2nd, 3rd, 4th, 5th, 6th, 7th, 9th, 10th, 11th, 12th, 13th, 17th, 18th, 19th and 20th amendments of the assembly to said bill No. 57, (S.)

I am directed to inform you that the senate has concurred in the several amendments of the assembly to bill

No. 53, (S.) A bill in relation to resignations, vacancies and removals and supplying vacancies.

Mr. Bowron moved that

No. 61, (A.) A bill for an act to create a laborer's lien,

Be taken from the table;

Which was agreed to.

Mr. Bowron moved that said bill be referred to the select committee to whom had been referred the petition on that subject;

Which was agreed to.

Messages from the senate were then taken up.

No. 47, (S.) A bill to provide for the publication of legal decisions;

No. 54, (S.) A bill to amend an act entitled "an act to prescribe the mode of proceedings in chancery; and

No. 64, (S.) A bill to provide for the removal of the county seat of Washington county, and for the permanent location thereof;

Were severally read the first and second times.

The amendment of the senate to

No. 12, (A.) A bill to vacate part of the town plot of the village of Janesville, in Rock county;

Was concurred in.

Mr. Strong moved that said bill No. 54, (S) be referred to the committee on the judiciary;

Which was agreed to.

Mr. Turck moved that said bill No. 64, (S.) be referred to a select committee consisting of the delegation from Washington county;

Which was disagreed to.

Mr. Turck moved that said bill No. 64, (S.) be laid upon the table and ordered to be printed;

Which was disagreed to.

Mr. Strong moved that the assembly adhere to the amendments of the assembly to the joint resolution in relation to referring No. 38, (S) to joint select committee.

And the question having been put,

It was decided in the affirmative.

And the question being on insisting on the amendments of the assembly to

No. 57, (S.) A bill relating to counties and county officers;

The assembly insisted in its first amendment, And the question being on insisting on the second amendment,

Having been put,

It was decided in the affirmative,

And the ayes and noes having been called for and ordered

Those who voted in the affirmative, were

Messrs. Alden, Ayers, Bird, Bowron, Burns, Chase, Colwell, Cotton, Crandall, Cross, Daugherty, Delaney, Fagan, Flynn, Hazard, Hill, W. H. Johnson, Solon Johnson, Keuhn, Kimball, Leland, Martin, Noble, Parkinson, Pierce, Pike, Reymert, Rickerson, Rockwell, Roys, Strong, Thomas, Thorp, Toland, Turck, Warren, Wasson, Wells, White, and Hobart, (speaker)—40.

Those who voted in the negative, were

Messrs. Briggs, Brown, Colley, Clark, Crawford, Gillilan, Hastings, Juneau, Kelsey, Kerr, King, Lown, Nute, Page, Phelps, Pope, Pratt, Townsend, and Young—19.

The assembly insisted on the third amendment,

And the question being on insisting on the fourth amendment,

Having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Alden, Ayres, Bowron, Brown, Burns, Chase, Colwell, Cotton, Cross, Daugherty, Delaney, Fagan, Flynn, Gillilan, Hazard, Hill, W. H. Johnson, Solon Johnson, Kerr, Kuehn, Kimball, Leland, Martin, Noble, Parkinson, Phelps, Pierce, Reymert, Rickerson, Rockwell, Strong, Thomas, Thorp, Toland, Wasson, Wells, and White,—37.

Those who voted in the negative, were

Messrs. Bird, Briggs, Colley, Clark, Crandall, Crawford, Hastings, Juneau, Kelsey, King, Lown, Nute, Page, Pike, Pope, Pratt, Roys, Townsend, Turck, Warren, Young and Hobart, (speaker.)—22.

The assembly insisted in the fifth amendment,

And the question being on insisting on the sixth amendment,

Having been put,

It was decided in the affirmative.

The ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Alden, Ayres, Bowron, Burns, Chase, Colwell, Cotton, Cross, Daugherty, Delaney, Fagan, Flynn, Gillilan, Hill, W. H. Johnson, Solon Johnson, Keuhn, Leland, Martin, Noble, Turck, Parkinson, Pierce, Reymert, Rickerson, Rockwell, Strong, Thomas, Thorp, Toland, Wasson, Wells, and Hobart, (speaker.)—33.

Those who voted in the negative, were

Messrs. Bird, Briggs, Brown, Colley, Clark, Crandall, Crawford, Hastings, Hazard, Juneau, Kerr, Kimball, Kelsey, King, Lown, Nute, Page, Phelps, Pike, Pope, Pratt, Roys, Townsend, Warren and Young,—25.

The question being on insisting on the 7th, 9th, 10th, 11th, 12th, 13th, 17th, 18th and 19th amendments,

Having been put,

It was decided in the affirmative.

And the question being on insisting on the 16th and 20th amendments,

Having been put,

It was decided in the negative.

Mr. Clark moved that

No. 62, (S.) A bill to appropriate to R. A. Bird the sum therein named:

Be taken from the files;

Which was agreed to.

Mr. Clark moved that the rules be suspended, and that said bill be read the third time now.

And the question having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered

Those who voted in the affirmative, were

Messrs. Alden, Ayers, Bird, Bowron, Briggs, Burns, Brown, Chase, Colwell, Cotton, Clark, Crandall, Crawford, Cross, Daugherty, Delaney, Fagan, Gillilan, Hastings, Hill, W. H. Johnson, Solon Johnson, Juneau, Kerr, Kimball, King, Martin, Noble, Nute, Parkinson, Phelps, Pierce, Pope, Pratt, Reymert, Rockwell, Roys, Strong, Thomas, Thorp, Toland, Townsend, Turck, Warren, Wells, Young and Hobart, (speaker)—47.

Those who voted in the negative, were

Messrs. Colley, Flynn, Hazard, Kelsey, Keuhn, Leland, Lown, O'Neil, Page, Pike, Rickerson, and Wasson.—12.

No. 62, (S.) A bill to appropriate to R. A. Bird the sum therein named,

Was read the third time.

And the question,

"Shall the bill pass?"

Having been put, (three fifths of the assembly being present,)

It was decided in the affirmative.

Those who voted in the affirmative, were

Messrs. Alden, Ayers, Bird, Bowron, Briggs, Brown, Burns, Chase, Colwell, Colley, Cotton, Clark, Crandall, Crawford, Cross, Daugherty, Delaney, Fagan, Gillilan, Hastings, Hill, Hazard, W. H. Johnson, Solon Johnson, Juneau, Kelsey, Kerr, Keuhn, Kimball, King, Leland, Martin, Noble, Nute, O'Niel, Page, Parkinson, Phelps, Pierce, Pike, Pope, Pratt, Reymert, Rockwell, Roys, Strong, Thomas, Thorp, Toland, Townsend, Turck, Warren, Wells, White, Young, and Hobart, (speaker,) —56.

Those who voted in the negative, were

Messrs. Flynn, Lown, Rickerson and Wasson,—4.

On motion of Mr. Thomas,

The assembly resolved itself into committee of the whole for the consideration of

No. 64, (S.) A bill to provide for the removal of the county seat of Washington county, and for the permanent location thereof;

Mr. Hastings in the chair.

After some time spent therein the committee rose, and by their chairman, reported said bill back to the assembly without amendment.

Mr. Clark moved that said bill be laid upon the table;

Which was agreed to.

Mr. Clark moved that the vote by which the assembly refused to order said bill to be printed, be re-considered;

Which was agreed to.

And the question on ordering said bill to be printed,

Having been put,

It was decided in the affirmative.

The speaker laid before the assembly a communication from the governor, which was read as follows, to wit

EXECUTIVE DEPARTMENT,
Madison, February 20, 1849.

To the Assembly:

I herewith return to the assembly resolution entitled, "Joint resolution relative to the printing of the laws," without action.

From an inspection of the resolution it is evidently the intention of the legislature to give it the force and effect of a law, by declaring that certain acts of the secretary of state had under it, and the publication thereof "shall be received as evidence in all courts and legal proceedings."

The seventeenth section of the fourth article of the constitution provides—"the style of the laws of the state shall be, 'the people of the State of Wisconsin represented in senate and assembly do enact as follows,'" and "no law shall be enacted except by bill:" from which it is evident that legislation can have no legal effect unless the action of the legislature assumes the form expressly directed by the constitution. The propriety of a law embodying the provisions contained in the resolution, is apparent, and as individual rights may be affected by it, such a law is recommended.

NELSON DEWEY.

And the question then being,
Shall the assembly reconsider and pass
Joint resolution relative to printing laws,
Having been put,
It was decided in the negative.
And the ayes and noes having been called for and ordered,
There were no votes in the affirmative.
Those who voted in the negative, were

Messrs. Alden, Bird, Bowron, Briggs, Brown, Burns, Colwell, Colley, Clark, Crandall, Crawford, Cross, Delaney, Fagan, Flynn, Gillilan, Hastings, Hill, Solon Johnson, Kelsey, Kerr, Keuhn, Kimball, King, Leland, Lown, Martin, Noble, Nute, O'Neal, Page, Parkinson, Phelps, Pierce, Pike, Pope, Pratt, Reymert, Rickerson, Rockwell, Roys, Strong, Thorp, Toland, Townsend, Turck, Warren, Wasson, Wells, Young, and Hobart, (speaker,)—51.

Mr. Kerr, from the committee on enrolled bills, reported correctly enrolled

No. 61, (S.) A bill to appropriate to Beriah Brown the sum therein named; and

No. 36, (A.) A bill to authorize the city of Racine to aid in the construction of a plank road.

The said bills were thereupon signed by the speaker and transmitted to the senate.

Mr. Burns moved that

No. 43, (A.) A bill to incorporate the Harazthy bridge company,

Be taken from the table;

Which was agreed to.

And the question pending being on concurring in the amendment of the committee of the whole to said bill,

And having been put,

It was decided in the negative.

Mr. Burns moved to amend said bill as follows:

Amend first section by inserting after the words "Charles Harazthy," the words "Alexander Mitchell;"

Amend the bill by inserting the words "and Alexander Mitchell or any two of them," after the word "Sutherland," where it occurs in the second section and first line, and also strike out the word "and" in the first line.

Strike out the word "Harazthy," where it occurs in the third line of the first section, and insert the word "Wisconsin."

Strike out the word "May," where it occurs in the fourth line of the second section, and insert the word "March."

And the question on the adoption of said amendment,

Having been put,

It was decided in the affirmative.

The said bill was then ordered to be engrossed and read the third time.

Mr. Strong moved that a committee of conference of two members from the assembly be appointed to confer with a like committee from the senate on the disagreeing vote of the two houses on

No. 57, (S.) A bill relating to counties and county officers;

Which was agreed to.

The speaker appointed Messrs. Daugherty and Strong as said committee.

On motion of Mr. Phelps,

The assembly adjourned.

WEDNESDAY, February 21st, 1849.

Prayer by the Reverend Mr. Penman.

Petitions were presented and referred as follows:

By Mr. Clark:

The petition of 75 inhabitants of Marquette county, in relation to the county seat of said county.

Referred to the committee on town and county organization.

By Mr. Townsend:

The petition for the alteration of certain roads in the county of Winnebago; also,

A petition for a ferry across the Fox river at Laborets in Winnebago county.

Referred severally to the committee on roads, bridges, and ferries.

By Mr. Pike:

The petition of D. B. Peck and 51 others for a law to authortze I. C. Day and Mary Ann Brink administrator and administratrix of Abram Brink, deceased, to convey certain lands.

By Mr. Ayres:

The petition of W. H. Godfrey and 107 others for land limitation, homestead exemption and freedom of the public lands.

Referred severally to the committee on the the judiciary.

By Mr. Thomas:

A petition for a state road from Merton to Milwaukee.

Referred to the committee on roads, bridges and ferries.

Mr. Kelsey moved that the resolution in relation to granting the use of this hall on the Sabbath, to Rev. Mr. Read for the purposes of divine worship, during the session be taken from the table.

Which was agreed to.

The question being on the adoption of the resolution,

Mr. Clark moved to amend the same by striking out all after the word "resolved," and insert "the use of this hall shall not be granted to any person at any time, or for any purpose without the unanimous consent of the assembly."

And the question on the adoption of the amemendment,

Having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Alden, Ayers, Bird, Bowron, Brown, Chase, Cotton, Clark, Cross, Delaney, Fagan, Flynn, Juneau, Kuehn, Kimball, King, Reymert, Rickerson, Roys, Strong, Thomas, Toland, Townsend, and Wasson—24.

Those who voted in the negative, were

Messrs. Briggs, Burns, Colwell, Colley, Crandall, Crawford, Daugherty, Gillilan, Hastings, Solon Johnson, Kelsey, Kerr, Leland, Lown, Martin, O'Neill, Page, Parkinson, Pike, Pope, Pratt, Rockwell, Turck, Warren, Wells, White, Young and Hobart, (speaker.)—28.

Mr. Kelsey moved that said resolution be laid upon the table;

Which was disagreed to.

Mr. Delaney moved to amend the resolution by adding

"But the wood of the state shall not be used by Mr. Read or others for the purpose of heating the hall when occupied by him;"

Which was disagreed to.

Mr. Delaney moved that the further consideration of said resolution be indefinitely postponed;

And the question having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Alden, Ayres, Bowron, Chase, Cotton, Clark, Cross, Delaney, Flynn, Hazard, W. H. Johnson, Juneau, Kuehn, Kimball, King, Noble, Reymert, Roys, Strong, Thomas, Toland, Townsend, Wasson, and Hobart, (speaker.)—24.

Those who voted in the negative, were

Messrs. Bird, Briggs, Brown, Burns, Colwell, Colley, Crandall, Crawford, Daugherty, Fagan, Gillilan, Hastings, Solon Johnson, Kelsey, Kerr, Leland, Lown, Martin, Nute, O'Neil, Page, Parkinson, Pike, Pope, Pratt, Rickerson, Rockwell, Turck, Warren, Wells, White, and Young—32.

Mr. Kelsey moved to amend the resolution so that the resolution will read the use of the hall be granted next Sabbath.

Mr. Delaney moved to amend said resolution by striking out the name of Mr. Read, and inserting in lieu thereof the name of Mr. Bennett;

Mr. Crawford moved that the resolution and amendment be laid upon the table;

Which was agreed to,

Leave of absence was granted to Messrs. Willard, Hill, Pierce, Thorp, and Phelps.

Mr. Brown presented

The petition of J. E, Everett and 60 others, asking that in the establishment of a state prison such laws may be enacted as will effectually prevent the introduction into it of their various trades, and that they may not be brought in competition with convict labor.

Mr. Pratt presented

Remonstrance of Elias S. Bailey and 73 others on the subject of state's prison.

Which were severally referred to the committee on state's prison.

Mr. Burns presented

A petition of citizens of Richland county praying for a new town;

Which was referred to the committee on town and county organization.

Mr. Delaney presented

The petition of D. Smith and others praying the passage of a law to prevent the obstruction of the Wisconsin river and its tributaries;

Which was referred to the committee on roads, bridges and ferries,

Mr. Burns, from the committee on education and school lands, to whom the same had been referred, reported back to the assembly

No. 4, S. A bill to amend an act to provide for the appraisal and subdivision of the school and university lands, approved August 12th, 1848,

With an amendment.

No. 43, (A,) A bill to incorporate the "Wisconsin Bridge Company;"

Was read the third time, passed, and the title thereof agreed to.

The amendments reported by the committee on education and school lands to

No. 32, S. A bill relating to common schools,

Were adopted.

The said bill, No. 32, (S.) was then ordered to be read the third time.

Mr. Roys, from the committee on town and county organization, to whom was referred the petition of A, Farnham and others to attach a portion of the town of Lowell, in Dodge county, to Fairfield;

Reported the same back and asked its reference to a select committee on the subject;

Which was agreed to.

On motion of Mr. Wells,

The assembly resolved itself into committee of the whole, for the further consideration of

No. 76 (A.) A bill in relation to the assessment and collection of taxes.

Mr. White in the chair.

And after some time spent therein the committee rose, and by their chairman, reported progress and asked leave to sit again;

Leave was granted.

On motion of Mr. Wells,

The assembly adjourned until half past two, P. M.

HALF PAST TWO O'CLOCK, P. M.

Mr. Kerr, from the committee on enrolled bills, reported as correctly enrolled

No. 62, (S.) A bill to appropriate to R. A. Bird the sum therein named.

The said bill was thereupon signed by the speaker and reported to the senate.

The speaker announced the appointment of Mr. Brown to fill the vacancy occasioned by the absence of Mr. Meade, on the committee on internal improvements.

Mr. Daugherty introduced the following resolution, which was adopted, to wit:

Resolved, That the use of this hall this evening be granted to the members and citizens of the state generally, to take incipient measures for the formation of a state agricultural society.

Mr. Hastings introduced the following resolution, which was adopted, to wit:

Resolved, the senate concurring, That the two houses of the legislature will meet in the assembly chamber to-morrow morning at 10 o'clock, for the purpose of listening to the reading of Washington's farewell address.

Resolved; That the president of the senate and speaker of the assembly be requested to invite some member of the legislature to read said address as above contemplated.

On motion of Mr. Toland,

The assembly resolved itself into committee of the whole for the consideration of the general file of bills;

Mr. Alden in the chair.

And after some time spent therein the committee rose and by their chairman reported back to the assembly

No. 28, (S.) A bill to amend an act entitled an act to exempt from forced sale on final process the property therein named, approved August 10th, 1848.

No. 4, (S.) A bill to amend an act to provide for the appraisal and subdivision of the school and university lands, approved August 12th, 1848;

No. 65, (A.) A bill to legalize the proceedings of the collector of the town of Addison in the county of Washington, for the year 1848;

No. 5, (A.) Memorial to congress asking for an appropriation of land to aid in the construction of a rail road from lake Michigan to the Mississippi river;

With amendments to each.

No.44(S.)A bill to appropriate the several sums therein named;

No. 49, (S.) A bill to repeal an act entitled an act to establish a municipal court of the city of Milwaukee, and all acts supplementary thereto;

No. 56, (A.) An act to prescribe the terms of the supreme court and to require the adoption of rules of practice.

No. 40, (S.) A bill to vacate a certain street in the village of Cedarburg;

No. 22, (S.) A bill to provide for the protection of shade trees, hedges and fences in certain cases;

No. 78, (A.) A bill to authorize the treasurer of the town of Belgium in the county of Washington, to receive certain monies;

No. 77, (A.) A bill to incorporate the Salem Cemetery Society;

No. 25, (A.) A bill to repeal certain acts therein mentioned; and

No. 72, (A.) A bill making an appropriation for a contingent fund;

Without amendment, and

No. 47, (S.) A bill to provide for the publication of legal decisions;

With amendments,

And report progress on the general file and ask leave to sit again.

Leave was granted.

Mr. Kerr, from the committe on enrolled bills, reported that they have this day presented to his excellency the governor

An act to authorize the city of Racine to aid in the construction of a plank road;

Joint resolution relative to salaries of officers of the university, and in relation to approving of the proposed site and plan of the university buildings,

An act to authorize H. S. Allen, Storer Rines, and Moses Rines and their associates, to construct and maintain a boom in Chippewa river, in the county of Chippewa; and

An act to appropriate to Beriah Brown the sum therein named.

A message from the senate by their chief clerk:

MR. SPEAKER;

I am directed to inform you that the senate has passed

No. 59, (A.) A bill to appropriate to N. W. Dean the sum therein named;

No. 54 (A.) A bill to organize the county of St. Croix for judicial purposes and to attach the county of La Pointe thereto for such purposes.

No. 56, (A.) A to bill declare certain roads in the town of Auburn to be lawful highways; and

No. 66, (A.) A bill to vacate the town plat of the town of Oconomewoc;

Without amendment; and

No. 40, (A.) A bill to prevent obstructions of the Wisconsin river and its tributary streams; and

No. 64, (A.) A bill to incorporate the Spring Valley Academical Association; and

With amendments to each;

In which the concurrence of the assembly is requested.

And has passed

No. 58, (S,) A bill to appropriate the sum of money therein named.

No. 71, (S,) A bill to authorize Thomas P. Williams and o'hers to build a bridge, and

No. 73, (S.) A bill to punish trespass upon university and school lands.

In which the concurrence of the assembly is requested.

And the question being on concurring in the amendment of the committee of the whole to

No. 28, (S.) A bill to amend an act entitled "An act to exempt from forced sale on final process the property therein named," approved August 10th, 1848.

Mr. Fagan moved a call of the house;

Which was ordered.

And the roll having been called,

Mr. Turck was reported absent.

The sergeant-at-arms was dispatched for Mr. Turck.

The sergeant-at-arms reported Mr. Turck sick and unable to attend.

Mr. Burns moved that Mr. Turck be excused.

And the question having been put,

It was decided in the negative.

On motion of Mr. Clark,

The assembly adjourned until Friday morning at 9 o'clock.

FRIDAY, February 23d, 1849.

Prayer by the Rev. Mr. Springer.

The journal of Wednesday was read.

The speaker made the following communication, and reported to the assembly.

In accordance with the joint resolution of the senate and assembly, passed on the 21st, instant, the members of the two houses met in joint convention with the citizens of Madison, and visitors in the assembly chamber at ten o'clock A. M. yesterday, and listened to the Farewell Address of General George Washington to the people of the United States, read by William R. Smith who had been selected for the purpose as provided by said resolution.

Petitions were severally presented and referred, as follows:

By Mr. Chase:

The petition of Francis Harnegan and 34 others, asking for the passage of a law authorizing the lowering of certain streets therein named;

Referred to the committee on roads, bridges and ferries. Also,

The petition of the stockholders of the Erie and Michigan telegraph company;

Referred to a select committee consisting of Messrs. Chase, King and Rockwell.

By Mr. Martin:

The petition of L. J. Farmell and 458 others, citizens of Milwaukee in relation to states' prison.

By Mr. Colwell:

The petition of John Eikins and 45 others of Racine county, on the same subject. Also,

The petition of Ira M. Waite and 45 others on the same subject.

By Mr. Strong:

The petition of Dana McDonald and 50 others, praying that convicts in the states' prison may not be employed in mechanical labors;

Referred severally to the committee on states' prison.

By Mr. Clark :

The petition of sundry inhabitants of the counties of Dodge and Marquette for a state road ;

Referred to the committee on roads, bridges and ferries.

By Mr. Noble :

Remonstrance to a petition praying for a division of the town of Eden ;

Referred to the committee on town and county organization.

Mr. Crawford, from the select committee to whom petitions had been referred, reported,

No. 87, (A.) A bill to vacate a part of Monroe street in the village of Monroe ;

Which was read the first and second times.

Messages from the senate were taken up.

And the question being on concurring in the amendment of the senate to

No. 40, (A.) A bill to prevent obstructions of the Wisconsin river and its tributary streams ;

Mr. Bowron moved that said bill be laid upon the table ;

Which was agreed to.

And the question being on concurring in the amendments of the senate to

No. 64, (A.) A bill to incorporate the Spring Valley academical association ;

Mr. Colley moved that the same be laid upon the table ;

Which was agreed to.

No. 58, (S.) A bill to appropriate the sum of money therein named ;

No. 71, (S.) A bill to authorize Thomas P. Williams and others to build a bridge ; and

No. 73, (S.) A bill to punish trespass on university and school lands ;

Were severally read the first and second times.

No. 32, (S.) A bill relating to common schools ;

Was read the third time, passed, and the title thereof agreed to.

No. 5, (A.) Memorial to congress asking for an appropriation of land to aid in the construction of a rail road from Lake Michigan to the Mississippi river ;

Was ordered to be engrossed and read the third time.

No. 40, (S.) A bill to vacate a certain street in the village of Cedarburg;

No. 22, (S.) A bill to provide for the protection of shade trees, hedges and fences in certain cases; and

No. 44, (S.) A bill to appropriate the several sums therein named;

Were severally ordered to be read the third time.

And the question being on ordering

No. 49, (S.) A bill to repeal an act entitled "an act to establish a municipal court in the city of Milwaukee, and all acts supplementary thereto;"

To be read the third time.

Mr. Chase moved that the further consideration thereof be postponed one week;

Which was disagreed to.

Mr. Chase moved that the further consideration thereof be indefinitely postponed.

And the question being on indefinitely postponing,

Mr. Wells moved a call of the house.

Which was ordered.

And the roll having been called,

Messrs. Alden, Ayres, Burns, Delaney, Juneau, Thomas and Townsend were reported absent.

The sergeant-at-arms was despatched after the absentees.

Leave of absence was granted to Mr. Leland for four days, and to Messrs. Nute, Pratt and Young for one week.

The sergeant-at-arms having returned and reported all the absent members present.

The morning hour having expired,

Mr. Cross moved that the rules be suspended and that said bill No. 49, (S.) be considered now;

Which was disagreed to.

A message from the senate by their chief clerk,

MR. SPEAKER:

I am directed to inform you that the senate has passed

No. 52, (S.) A bill supplementary to an act to incorporate the Milwaukee Mutual Fire Insurance Company, approved December 27, 1837, and an act to amend an act to incorporate the Milwaukee Mutual Fire Insurance Company, approved Feb. 4th, 1847;

No. 55, (S.) A bill to prescribe certain duties of the board of public works, and to amend an act entitled an act to provide for the improvement of the Fox and Wisconsin rivers and connecting the same by a canal, approved August 8th, 1848;

No. 69, (S.) An act to prescribe certain duties of the attorney general of the state, and the district attorney of Milwaukee county;

No. 72, (S.) A bill to appropriate to William R. Smith the sum therein named;

In which the concurrence of the assembly is requested.

And has appointed Messrs. Kinney and Sholes a joint committee of conference on the part of the senate on the disagreeing vote of the two houses, on the amendments of assembly to

No. 57, (S.) A bill relating to counties and county officers;

On motion of Mr. Strong,

The assembly resolved itself into committee of the whole for the further consideration of

No. 76, (A.) A bill providing for the assessment and collection of taxes;

Mr. Bowron in the chair.

And after some time spent therein the committee rose, and by their chairman reported progress and asked leave to sit again.

Leave was granted.

On motion of Mr. Noble,

The assembly adjourned until half past two, P. M.

HALF PAST TWO O'CLOCK, P. M.

The pending question being on indefinitely postponing

No. 49, (S.) A bill to repeal an act entitled "an act to establish a municipal court of the city of Milwaukee, and all acts supplementary thereto;

Mr. Chase withdrew his motion to postpone indefinitely, and moved that said bill be laid upon the table, and made the special order of Monday next;

Which was disagreed to.

The said bill was then ordered to be read the third time.

The question being on ordering

No. 56, (S.) An act to prescribe the terms of the supreme court, and to require the adoption of rules of practice;

To be read the third time.

Mr. Strong moved that said bill be referred to the committee on the judiciary;

Which was agreed to.

The question being on concurring in the amendment of the committee of the whole to

No. 65, (A.) A bill to legalize the proceedings of the collector of the town of Addison, in the county of Washington for the year 1848;

Mr. Fagan moved that said bill be laid upon the table;

Which was agreed to.

The amendment of the committee of the whole to

No. 4, (S.) A bill to amend an act to provide for the appraisal and subdivision of the school and university lands, approved August 12, 1848;

Was concurred in.

And the said bill ordered to be read the third time.

The question being on concurring in the amendment of the committee of the whole to

No. 28, (S.) A bill to amend an act entitled "an act to exempt from forced sale on final process the property therein named, approved Aug. 10th 1848;"

Mr. Kelsey moved that said bill be referred to a select committee of three;

Which was agreed to.

The speaker appointed Messrs. Kelsey, Daugherty and Delaney as said committee.

The question being on concurring in the amendment of the committee of the whole to

No. 47, (S.) A bill to provide for the publication of legal decisions;

Which was to amend section two, by striking out the word "two" before the word "hundred," and inserting in lieu thereof the word "one,"

Having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Ayers, Bird, Brown, Burns, Chase, Colwell, Colley, Cotton, Clark, Crandall, Crawford, Cross, Daugherty, Dick, Fagan, Flynn, Gillilan, Hastings, Hazard, W. H. Johnson, Solon Johnson, Juneau, Kelsey, Keuhn, King, Kimball, Martin, Noble, O'Neal, Page, Parkinson, Pike, Pope, Reymert, Rickerson, Rockwell, Strong, Sugden, Thomas, Toland, Turck, Warren, Wasson, and White,—44.

Those who voted in the negative were

Messrs. Alden, Delaney, Lown, Roys, Townsend, Wells, and Hobart, (speaker,)—7.

The question being on ordering said bill to be read the third time,

Mr. Strong moved to amend the same by striking out in section two, the word "five" before "dollars," and insert the word "three" in lieu thereof;

Which was agreed to.

Mr. Delaney moved to amend the bill by striking out the enacting clause;

Which was disagreed to.

Mr. Strong moved further to amend the same, by striking out sections four and five in the bill;

Which was agreed to.

The said bill was then ordered to be read the third time.

No. 78, (A.) A bill to authorize the treasurer of the town of Belgium, in the county of Washington to receive certain monies; and

No. 25, (A.) A bill to repeal certain acts therein named;

Were severally ordered to be engrossed and read the third time.

The question being on ordering

No. 77, (A.) A bill to incorporate the Salem Cemetery society;

To be engrossed and read the third time,

Mr. Strong moved that the said bill be laid upon the table;

Which was agreed to.

No. 72, (A.) A bill making an appropriation for a contingent fund;

Was ordered to be engrossed and read the third time.

Mr. Clark by leave, gave notice that on to-morrow or some future day, he would ask leave to introduce a bill in relation to county officers.

Mr. Rickerson by leave, introduced the following resolution, which was adopted, to wit:

Resolved, That the sergeant-at-arms remove the benches from the west side of the assembly room, and remove the members desks from under the gallery and place them in order on the west side of the hall.

Mr. Parkinson by leave, introduced

No. 88, (A.) A bill to authorize the recording of the town plat of the town of Belmont in La Fayette county and for other purposes;

Which was read first and second times.

On motion of Mr. Strong,

The assembly resolved itself into committee of the whole for the consideration of the general file of bills:

Mr. Kuehn in the chair.

And after some time spent therein the committee rose and by their chairman reported back to the assembly

No. 73, (A.) A bill to provide for the location of a state's prison;

No. 6, (A.) Memorial to congress on the subject of currency;

No. 79, (A.) A bill to audit the claims of Racine county;

No. 80, (A.) A bill to appropriate to David Holt the sum therein named;

No. 81, (A.) A bill relating to attorneys;

No. 82, (A.) A bill to divide the town of Cottage Grove in Dane county, into two separate towns;

No. 83, (A.) A bill to amend an act, approved August 19th, 1848, entitled "an act to organize the several towns therein named;"

No. 84, (A.) A bill to change the name of the town of Butte des Mortes, in the county of Winnebago;

No. 85, (A.) A bill to organize the town of Primrose, in Dane county;

No. 86, (A.) A bill to organize the town of New Holstein in Calumet county;

No. 58, (A.) A bill to restore the name and rights of the Prairieville Academy, No. 74, (A.) A bill to consolidate and amend an "act entitled an act to incorporate Carroll College," approved January 31, 1846, and act amendatory thereto, approved January 25, 1847;

No. 58, (S.) A bill to appropriate the sum of money therein named;

No. 71, (S.) A bill to authorize Thomas P. Williams and others to build a bridge; and

No. 73, (S.) A bill to punish trespass on university and school lands;

Without amendments.

Said bill No. 58, (A.) was ordered to be read the third time.

The question being on ordering said bill No. 71, (S.) to be read the third time,

Mr. Chase moved the further consideration thereof be postponed for one week;

Which was agreed to.

The question being on ordering said bill No. 73, (S.) to be read the third time,

Mr. Strong moved that said bill be referred to the committee on the judiciary;

Which was agreed to.

The question being on ordering said bill No. 73, (A.) to be engrossed and read the third time,

Mr. Briggs moved that said bill be laid upon the table;

Which was agreed to.

The question being on ordering said memorial No. 6, (A.) to be engrossed and read the third time,

Mr. Roys moved that said memorial be laid upon the table;

Which was disagreed to.

Said bills Nos. 79, 80, 81, 83, 84, 85 and 86, (A.) were severally ordered to be engrossed and read the third time.

The question being on ordering said bill No. 82, (A.) to be engrossed and read the third time,

Mr. Bird moved that said bill be laid upon the table;

Which was agreed to.

The question being on ordering said bill No. 74, (A.) to be engrossed,

Mr. Delaney moved that said bill be referred to the committee on the judiciary;

Which was disagreed to.

Mr. Delaney then moved to amend section five of said bill by inserting as follows:

Resolved, That no religious test will ever be required of any person as a qualification to become a student or officer of said college.

And the question on the adoption of said amendment

Having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Cotton, Clark, Cross, Delaney, Fagan, Flynn, W. H. Johnson, Juneau, King, Reymert, Rockwell, Roys, Sugden, Toland, Wasson and Hobart, (speaker.)—16.

Those who voted in the negative, were

Messrs. Alden, Ayers, Bird, Briggs, Brown, Burns, Colwell, Colley, Crandall, Crawford, Daugherty, Dick, Gillilan, Hastings, Kelsey, Kerr, Kimball, Lown, Martin, Noble, O'Neill, Parkinson, Pike, Pope, Strong, Townsend, Turck, Warren, Wells, and White,—30.

The said bill No. 74, (A.) was then ordered to be engrossed and read the third time.

The question being on the adoption of the substitute reported by the committee for said bill No. 58, (A.)

Having been put,

It was decided in the affirmative.

The said bill No. 58, (A.) was then ordered to be engrossed and read the third time.

A message from the senate by their chief clerk,

MR. SPEAKER:

I am directed to inform you that the senate has passed

No. 80, (S.) A bill in relation to the legislature;

No. 81, (S,) A bill relating to the distribution of the income of the school fund;

No. 82, (S.) A bill in relation to proceedings to compel the delivery of books and papers by public officers to their successors;

No. 83, (S.) A bill in relation to the division of towns; and

No. 67, (S.) A bill to provide for the final settlement with the Milwaukee and Rock River canal company;

In which the concurrence of the assembly is requested.

I am also directed to deliver you a petition of A. H. Taylor and others, praying for an act to authorize Thomas P. Williams to build a bridge across the Milwaukee river.

Mr. Kerr, from the committe on enrolled bills, reported that said committee had examined

No. 12, (A.) A bill to vacate part of the town plot of the village of Janesville, in Rock county;

No. 59, (A.) A bill to appropriate to N. W. Dean the sum therein named;

No. 66, (A.) A bill to vacate the town plat of the town of Oconomewoc;

No. 56, (A.) A bill to declare certain roads in the town of Auburn to be lawful highways; and

No. 53, (S.) a bill in relation to resignations, vacancies, and removals, and of supplying vacancies,

And found the same correctly enrolled.

The said bills were severally signed by the speaker and transmitted to the senate.

Mr. Kerr, from the same committee reported that they did on yesterday present to his excellency the governor for his approval

An act to appropriate to R. A. Bird the sum therein named.

On motion of Mr. Reymert,

The assembly adjourned.

SATURDAY, February 24th, 1849.

Prayer by the Rev. Mr. Lord.

Mr. Cross presented the petition of F. Randall, Cyrus Hawley, J. A. Hoover, J. W. Medbury, and M. B. Medbury praying that certain lands owned by them and lying within the city of Milwaukee be taken out of said city, and attached to the town of Wauwatosa or Milwaukee;

Which was referred to the committee on incorporations.

Mr. Strong introduced the following resolution, which was adopted, to wit:

Resolved, That hereafter the whole of the forenoon of each day after the morning prayer, be devoted to the consideration of bills recommended by the revisors and the committee to compile the laws.

Mr. Townsend by leave introduced

No. 89 (S.) A bill for extending the boundaries of the county of Winnebago.

Mr. Chase, from the select committe to whom petition on the subject had been referred, reported

No. 90, (A.) A bill in relation to the Erie and Michigan Telegraph company;

Which was read the first and second times,

And referred to the committee on the judiciary.

Messages from the senate were then taken up.

No. 55, (S.) An act to prescribe certain duties of the board of public works, and to amend an act entitled "An act to provide for the improvement of the Fox and Wisconsin rivers and connecting the same by canal, approved August 8th, 1848;

No. 69, (S.) An act to prescribe certain duties of the attorney general of the state and the district attorney of Milwaukee county;

No. 72 (S.) A bill to appropriate to Wm. R. Smith the sum therein named;

No. 80, (S.) A bill in relation to the legislature;

No. 81, (S.) A bill relating to the distribution of the income of the school funds;

No. 82, (S.) A bill in relation to proceedings to compel the delivery of books and papers by the public officers to their successors;

No. 83, (S.) A bill in relation to the division of towns, and

No. 67, (S.) A bill to provide for the final settlement with the Milwaukee and Rock River Canal Company,

Were severally read the first and second times.

Mr. Daugherty moved that said bill, No. 55 (S.) be referred to the committee on internal improvements;

Which was agreed to.

Mr. Daugherty moved that said bill, No. 81 (S.) be referred to the committee on education and school lands;

Which was agreed to.

Mr. Reymert moved that said bill, No. 67, (S.) be referred to a select committee of five.

Mr. Kelsey moved to amend the motion by referring the same to the delegation from Milwaukee connty;

Which was disagreed to.

The question being as to referring to a select committee of five,

Having been put,

It was decided in the affirmative.

The speaker appointed Messrs. Reymert, Daugherty, Cotton, Pope, and Delaney as said committee.

No. 47, (S.) A bill to provide for the publication of legal decisions;

No. 4, (S.) A bill to amend an act to provide for the appraisal and subdivision of the school and university lands, approved August 12th, 1848,

No. 49, (S.) A bill to repeal an act entitled "an act to establish a municipal court in the city of Milwaukee, and all acts supplementary thereto;"

No. 22, (S.) A bill to provide for the protection of shade trees, hedges and fences in certain cases; and

No. 40, (S.) A bill to vacate a certain street in the village of Cedarburg;

Were severally read the third time, passed, and the titles thereof agreed to.

No. 44, (S.) A bill to appropriate the several sums therein named;

Was read the third time.

And the question,

"Shall the bill pass?"

Having been put, (three fifths of the assembly being present,)

It was decided in the affirmative.

Those who voted in the affirmative, were

Messrs. Alden, Ayers, Bird, Bowron, Briggs, Brown, Burns. Chase, Colwell, Colley, Cotton, Clark, Crawford, Daugherty, Delaney, Dick, Fagan, Gillilan, Hastings, Hazard, W. H. Johnson, Solon Johnson, Juneau, Kelsey, Kerr, Keuhn, Kimball

King, Lown, Martin, O'Niel, Page, Parkinson, Pike, Pope, Roys, Strong, Thomas, Toland, Turck, Warren, Wasson, Wells, and Hobart, (speaker)—45.

Those who voted in the negative, were

Messrs. Cross, Flynn, Noble, Rickerson, Rockwell, Sugden, and Townsend—7.

The title of said bill was then agreed to.

No. 58, (S,) A bill to appropriate the sum of money therein named;

Was read the third time.

And the question, "shall the bill pass?"

Having been put, (three-fifths of the assembly being present,)

It was decided in the affirmative.

Those who voted in the affirmative were

Messrs. Alden, Ayres, Bird, Bowron, Briggs, Brown, Burns, Chase, Colwell, Colley, Cotton, Clark, Crawford, Daugherty, Delaney, Dick, Fagan, Gillilan, Hastings, Hazard, W. H. Johnson, Solon Johnson, Juneau, Kelsey, Kerr, Kuehn, Kimball, Lown, Martin, O'Neil, Page, Parkinson, Pike, Pope, Rickerson, Roys, Strong, Thomas, Toland, Townsend, Turck, Warren, Wasson, Wells, and Hobart, (speaker.)—44.

Those who voted in the negative, were

Messrs. Cross, Flynn, King, Noble, Rockwell, and Sugden —6.

The title of said bill was then agreed to.

Mr. Bowron moved that

No. 4, (A,) A memorial to congress for a grant of land to aid in the construction of a rail road from the Falls of St. Croix to Lake Superior,

Be taken from the table,

Which was agreed to.

The said memorial was then ordered to be engrossed and read the third time.

Mr. Daugherty, from the committee on engrossed bills, reported as correctly engrossed,

No. 5, (A.) Memorial to congress asking for an appropriation of land to aid in the construction of a rail road from lake Michigan to the Mississippi river;

The said memorial, No. 5, (A.,)

Was read the third time, passed, and the title thereof agreed to.

Mr. Martin moved that the vote by which No. 71, (S.) was laid upon the table be reconsidered;

Which was agreed to.

The question being on postponing said bill for one week,

Having been put,

It was decided in the negative.

The said bill,

No. 71, (S) A bill to authorize Thomas P. Williams and others to build a bridge,

Was then ordered to be engrossed and read the third time.

A message from the senate by their chief clerk:

MR. SPEAKER:

I am directed to inform you that the senate has passed

No. 79, (S.) A bill to incoporate the village of Watertown.

In which the concurrence of the assembly is requested.

On motion of Mr. Alden,

The assembly resolved itself into committee of the whole for the consideration of the general file of bills;

Mr. Thomas in the chair.

And after some time spent therein the committee rose and by their chairman reported back to the assembly

No. 67, (A.) A bill in relation to the boundaries of the counties of Adams, Columbia, Chippewa, LaPointe, Richland and St. Croix;

With a substitute.

No. 87, (A.) A bill to vacate a part of Monroe street in the village of Monroe; and

No. 88, (A.) A bill to authorize the recording of the town plat of the town of Belmont, in Lafayette county, and for other purposes,

Without amendments.

The substitute of the committee to said bill, No. 67, (A.) was adopted.

And the said bills, Nos. 67, 86, and 88, (A.)

Were severally ordered to be engrossed and read the third time.

On motion of Mr. Bowron,

The assembly resolved itself into committee of the whole for the further consideration of

No. 76, (A.) A bill providing for the assessment and collection of taxes;

Mr. Townsend in the chair.

And after some time spent therein the committee rose, and by their chairman reported progress and asked leave to sit again.

Leave was granted.

Mr. Parkinson gave notice that on Monday or some future day he would ask leave to introduce

A bill to locate the county seat of LaFayette county, by a vote of the people of said county, and for other purposes.

Mr. Kerr, from the committee on enrolled bills, submitted the following report, to wit:

The commtttee on enrolled bills report that they have examined

No. 44, (S.) A bill to appropriate the several sums therein named;

No. 58, (S.) A bill to appropriate the sum of money therein named;

No. 40, (S.) A bill to vacate a certain street in the villlage of Cedarburg;

No. 49, (S.) A bill to repeal an act entitled an act to establish a municipal court in the city of Milwaukee, and all acts supplementary thereto;

No. 54 (A.) A bill to organize the county of St. Croix fo. judicial purposes and to attach the county of La Pointe thereto for such purposes;

No. 71, (A.) A bill to provide for elections other than town officers; and

No. 48, (S.) A bill relating to state officers;

And find them correctly enrolled.

The said bills were thereupon signed by the speaker and transmitted to the senate.

On motion of Mr. Strong,

The assembly adjourned.

MONDAY, February 26th, 1849.

Prayer by the Rev. Mr. Penman.

Mr. Strong from the committee of conference on the disagreeing vote of the senate and assembly on

No. 57, (S.) A bill relating to counties and county officers;

Submitted the following report, to wit:

The committee of conference on the disagreeing votes between the two houses on the amendments to said bill No. 57, (S.) respectfully

REPORT:

That they recommend the following action, viz:

That the assembly recede from its first amendment; that the senate concur in the second amendment, that the assembly recede from the third amendment; that the senate concur in the fourth amendment; that the assembly recede from the fifth amendment; that the senate concur in the seventh and ninth amendments; that the assembly recede from the tenth amendment; that the senate concur in the eleventh, twelfth, thirteenth, seventeenth, eighteenth and nineteenth amendments, and that the sixth amendment be amended as follows, viz: Strike out the amendment of the assembly and insert the following in its place, "but the board of supervisors of any county shall not issue in any one year a greater amount of county orders, than the amount of the county tax levied in such county for such year, and no interest shall ever be paid by any county on any county order."

ASA KINNEY,
C. LATHAM SHOLES,
Senate.
MARSHALL M. STRONG,
J. DAUGHERTY,
Assembly.

The assembly resolved itself into committee of the whole for the consideration of

No. 76 (A.) A bill in relation to the assessment and collection of taxes;

Mr. Willard in the chair.

After some time spent therein the committee rose, and by their chairman, reported said bill back to the assembly with sundry amendments.

The amendments of the committee of the whole to said bill were concurred in.

The question being on ordering said bill to be engrossed and read the third time,

Mr. Delaney moved to amend the same, by striking out the words "after deducting just debts," in the 11th line of the 17th section.

And the question on the adoption of said amendment,

Having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Alden, Briggs, Burns, Delaney, Dick, Fagan, Gillilan, Keuhn, Kimball, Leland, O'Neal, Parkinson, Pope, Rickerson, Toland, Wasson, and Hobart, (speaker,)—17.

Those who voted in the negative, were

Messrs. Ayres, Bird, Brown, Chase, Colwell, Colley, Cotton, Clark, Crandall, Crawford, Cross, Daugherty, Flynn, Hastings, Hazard, W. H. Johnson, Solon Johnson, Juneau, Kelsey, Kerr, King, Lown, Martin, Noble, Page, Pike, Reymert, Rockwell, Strong, Sugden, Thomas, Townsend, Turck, Warren, Wells, and Willard—36.

Mr. Colley moved to amend section 17, by adding,

"All goods, wares, and merchandize kept by any merchant for the purpose of trade, shall be subject to taxation at their full value, notwithstanding the owner thereof may owe debts, the amount of such debts shall not be deducted from the assessed value of merchant goods."

And the question on the adoption thereof,

Having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered

Those who voted in the affirmative, were

Messrs. Alden, Burns, Colley, Crandall, Delaney, Dick, Fagan, Flynn, Gillilan, Kimball, O'Neil, Parkinson, Pope, Rickerson, Toland, Willard and Hobart, (speaker)—17.

Those who voted in the negative, were

Messrs. Ayers, Bird, Briggs, Brown, Chase, Colwell, Cotton, Clark, Crawford, Cross, Daugherty, Hastings, Hazard, W. H. Johnson, Solon Johnson, Juneau, Kelsey, Kerr, Keuhn, King, Leland, Lown, Martin, Noble, Page, Pike, Reymert, Rockwell, Strong, Sugden, Thomas, Townsend, Turck, Warren, Wasson, Wells and White—37.

Mr. Kelsey moved that the vote by which the assembly concurred in the amendments of the committee of the whole to said bill No. 76, (A.) be re-considered;

Which was agreed to.

And the question being on concurring in the said amendments,

Mr. Kelsey moved that the question on concurring in the first amendment, be taken separately;

Which was agreed to.

And the question being on concurring in the first amendment, which was to "strike out the third specification of section four,"

Having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Alden, Ayres, Briggs, Burns, Chase, Colwell, Cotton, Cross, Delaney, Flynn, Gillilan, Kerr, Kimball, Leland, Martin, Noble, Parkinson, Reymert, Rickerson, Strong, Wells, White, and Hobart, (speaker,)—23.

Those who voted in the negative were

Messrs. Bird, Brown, Colley, Clark, Crandall, Crawford, Daugherty, Dick, Fagan, Hastings, Hazard, W. H. Johnson, Solon Johnson, Kelsey, Keuhn, King, Lown, O'Niel, Page, Pike, Pope, Rockwell, Sugden, Thomas, Toland, Townsend, Turck, Warren and Willard—29.

Mr. Kelsey moved to amend the said bill, "by striking out the 8th specification of section 4."

And the question on the adoption thereof,

Having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Cross, Daugherty, Hastings, Juneau, Kelsey, King, Pike, Rickerson, and Strong,—9.

Those who voted in the negative, were

Messrs. Alden, Ayres, Bird, Briggs, Brown, Burns, Chase, Colwell, Colley, Cotton, Clark, Crandall, Crawford, Delaney, Dick, Fagan, Flynn, Gillilan, Hazard, W. H. Johnson, Solon Johnson, Kerr, Keuhn, Kimball, Leland, Lown, Noble, O'Neil, Page, Parkinson, Pope, Reymert, Rockwell, Sugden, Thomas, Toland, Townsend, Turck, Warren, Wasson, Wells, White, Willard and Hobart, (speaker.)—43.

The question being on concurring in the remaining amendments of the committee of the whole to said bill,

Having been put,

It was decided in the affirmative.

The said bill No. 76, (A.) was then ordered to be engrossed and read the third time.

On motion of Mr. Wells,

The assembly resolved itself into committee of the whole for the consideration of

No. 83, (S.) A bill in relation to the division of towns;

Mr. Reymert in the chair.

And after some time spent therein the committee rose and by their chairman reported said bill back to the assembly, without amendment.

And the question being on concurring in the amendment of the committee of the whole, which was to strike out the enacting clause,

Having been put,

It was decided in the affirmative.

On motion of Mr. Daugherty,

The assembly resolved itself into committee of the whole, for the consideration of

No. 80, (S.) A bill in relation to the legislature; and

No. 82, (S.) A bill in relation to proceedings to compel the delivery of books and papers by public officers to their successors;

Mr. White in the chair.

And after some time spent therein the committee rose, and by their chairman, reported back to the assembly the said bills No. 80, and 82, (S.)

Without amendments.

The said bills Nos. 80 and 82, (S.) were then severally ordered to be read the third time.

On motion of Mr. Kelsey,

The assembly adjourned until half past two, P. M.

HALF PAST TWO O'CLOCK, P. M.

The reading of the journals of Friday and Saturday last was dispensed with.

Petitions were presented and referred as follows:

By Mr. Alden:

The petition of John Magee and others, praying for relief;

Referred to the committee on education and school lands.

By Mr. Daugherty:

The petition ot S. D. Curtis and others asking the legalizing proceedings of school districts in Fond du Lac county, Also,

The petition of S. D. Curtis and others asking that a certain road be declared a legal highway;

Referred severally to the committee on town and county organization.

By Mr. Parkinson:

The petition of Henry J. Nash and 39 others relative to the county seat of La Fayette county; Also,

The petition of Sylvester Scott and 110 others on the same subject; Also,

The petition of Elihu Hall and 113 others on the same subject Also,

The petition of Topher Williams and 32 others on the same subject;

Referred severally to a select committee of five, consisting of Messrs. Wells, Delaney, Bird, Noble and Toland.

Mr. Strong introduced the following resolution, which was adopted. to wit.

Resolved, by the senate and assembly, That no new business of a private or local character shall be introduced into either house after the 10th day of March, 1849.

Mr. Reymert introduced the following resolution, which was adopted, to wit:

Resolved, That the chief secretary be requested to employ Mr. Albert C. Ingham assistant secretary in place of the present assistant, when he resigns.

Mr. Thomas presented

A petition of William Crorer, asking that certain acts of the highway commissioners in the town of Lisbon may be legalized;

Referred to the committee on roads, bridges and ferries,

Mr. Brown, from the committee on internal improvements, to whom had been referred

No. 55, (S.) A bill to prescribe certain duties of the board of public works, and to amend an act entitled an act to provide for the improvement of the Fox and Wisconsin rivers and connecting the same by a canal, approved August 8th, 1848;

Reported the same back without amendment, and recommended the passage thereof.

Mr. Clark, by leave, introduced

No. 91, (A.) A bill in relation to county officers;

Which was read the first and second times.

Mr. King, by leave, introduced

No. 92, (A.) A bill to provide for the publication of the laws;

Which was read the first and second times.

Mr. Parkinson, by leave, introduced

No. 93, (A.) A bill to authorize the electors of La Fayette county to vote on the removal of the county seat;

Which was read the first and second times.

Mr. Daugherty, from the committee on engrossed bills, submitted the following report, which was accepted, to wit:

The committee on engrossed bills, would beg leave to report the following bills as correctly engrossed:

No. 72, (A.) A bill making an appropriation for a contingent fund;

No. 84, (A.) A bill to change the name of the town of Butte des Mortes, in the county of Winnebago;

No. 79, (A.) A bill to audit the claims of Racine county;

No. 86, (A.) A bill to organize the town of Primrose in Dan county;

No. 83, (A.) A bill to amend an act, approved August 19th, 1848, entitled "an act to organize the several towns therein named;"

No. 86, (A.) A bill to organize the town of New Holstein in Calumet county;

No. 78, (A.) A bill to authorize the treasurer of the town of Belgium in the county of Washington, to receive certain monies;

No. 80, (A.) A bill to appropriate to David Holt the sum therein named;

No. 74, (A.) A bill to consolidate and amend an "act entitled an act to incorporate Carroll College," approved January 31, 1846, and an act amendatory thereto, approved January 25, 1847;

No. 88, (A.) A bill to authorize the recording of the town plat of the town of Belmont, in Lafayette county, and for other purposes.

Mr. White from the committee to whom had been referred

No. 57, (A.) A bill to amend the act entitled "an act to establish the times of holding circuit courts;"

Reported the same back with a substitute for said bill;

Which was accepted.

Mr. Kerr, from the committee on enrolled bills, reported that the committee did on Saturday last present to his excellency the governor, for his approval,

An act to vacate the town plat of the town of Oconomewoc;

An act to vacate part of the town plot of the village of Janesville, in Rock county;

An act to declare certain roads in the town of Auburn to be lawful highways; and

An act to appropriate to N. W. Dean the sum therein named;

Mr. Strong, from the judiciary committee, submitted the following reports, to wit:

The majority of the committee on the judiciary, to whom was referred the petition praying for an amendment to the act entitled "an act to incorporate the Lawrence Institute of Wisconsin," respectfully report adversely to the prayer of said petition.

MARSHALL M. STRONG, *Chairman.*

The undersigned, a minority of said cemmittee, respectfully reports in favor of the prayer of said petition, by the accompanying bill.

MARSHALL M. STRONG.

No. 94, (A.) A bill to amend an act entitled "an act to incorporate the Lawrence Institute of Wisconsin;"

Which was read the first and second times.

Mr. Strong, from the committee on the judiciary, submitted the following report, which was adopted, to wit:

The judiciary committee respectfully report that the legislature have not the power to grant the relief asked for by the petition of D. B. Peck and 51 others.

They recommend no action by the legislature at the present upon the petition of W. H. Godfrey and 107 others, and upon the communication of D. T. Dickson, state printer.

They recommend that

No. 90, (A.) A bill in relation to the Erie and Michigan Telegraph company,

Be indefinitely postponed, because the legislature has not the power they undertake to exercise by said bill.

They recommend that the bill to incorporate the Iron Ridge Iron Company, be laid upon the table; that

No. 63, (A.) A bill to provide for the publication of election returns in the several counties in this state;

Be indefinitely postponed, the legislature having already acted upon the subject.

They report that the subject of the remonstrance of William Stanton and others, viz: the reduction of the number of town officers, has already been acted upon by the legislature.

They report adversely to the prayer of the petition of Henry Allen and others. asking for an amendment of the chancery act.

Mr. Strong, from the same committee, submitted the following report, which was accepted, to wit:

The judiciary committee to whom was referred

No. 73, (S.) A bill to punish trespass upon university and school lands, respectfully

REPORT

That they deem it not advisable to act upon bills of a general nature, not reported by the revisers or by the compiling committee, unless some special emergency should require it.—

The whole body of the general laws of the state are to be passed upon, in some shape, by the legislature at the present session. Wherever there are defects in these laws, it is better to remedy them when they come up to their proper order, than to pass separate acts upon each. For such acts will become a part of the general laws of the state, must necessarily be published in the revised statutes of the state, and may mar the harmony and consistency of the same. The committee, therefore, propose to keep this bill in their possession until it shall be ascertained whether its provisions shall be covered by the action of the legislature upon the reports of the revisers and compilers.

The said report was adopted by the assembly.

Mr. W. H. Johnson, from the committee on incorporations, to whom had been referred the petition of the mayor and common council of the city of Racine on that subject, reported

No. 95, (A.) A bill to amend the city charter of the city of Racine;

Which was read the first and second times.

Mr. Noble, from the committee to whom the same had been referred, reported back to the assembly,

No. 61, (A.) A bill for an act to create a laborer's lien,

With an amendment.

Mr. Burns, from the committee on education and school lands, to whom had been referred the petition of the citizens of the town of Medina, in Dane county, reported

No. 96, (A.) A bill to legalize the proceedings of a school meeting held in school district number two, in the town of Medina, in Dane county, and to raise an additional tax to build a school house;

Which was read the first and second times,

Mr. Burns, from the same committee, to whom was referred the petition of citizens of the towns of Johnstown and Lima, in Rock county, on the subject of apportioning the school fund, reported

No. 97, (A.) A bill to authorize the apportionment of school monies to district No. 10, in the town af Lima and Johnstown, in the county of Rock;

Which was read the first and second times.

The speaker laid before the assembly communications from the sheriffs of Columbia and Manitowoc counties;

Which were referred to the committee on state's prison.—Also,

The following communications from his excellency, the governor:

EXECUTIVE DEPARTMENT,
Madison, February 16, 1849.

To the Assembly:

Acts of the following titles, to wit:

An act to vacate part of the town plot of the village of Janesville, in Rock county;

An act to appropriate to N. W. Dean the sum therein named;

An act to declare certain roads in the town of Auburn to be lawful highways; and

An act to vacate the town plat of the town of Oconomewoc;

Were on the 24th inst., approved and signed by me and deposited in the office of the secretary of state.

NELSON DEWEY.

EXECUTIVE DEPARTMENT,
Madison, February 20, 1849.

To the Assembly:

Resolution entitled, joint resolution relative to salaries of officers of the university, and in relation to approving of the proposed site and plan of the university buildings,

Was on the 22nd inst., approved and signed by me, and deposited in the office of the secretary of state; and on the 23d instant,

An act entitled an act to authorize the city of Racine to aid in the construction of a plank road;

Was approved and deposited as aforesaid.

NELSON DEWEY.

Messages from the senate were taken up.

No. 79, (S.) A bill to incoporate the village of Watertown,

Was read the first and second times.

Mr. Delaney moved that said bill be laid upon the table;

Which was agreed to.

No. 71, (S.) A bill to authorize Thomas P. Williams and others to build a bridge,

Was read the third time, passed, and the title thereof agreed to.

A message from the senate by their chief clerk:

MR. SPEAKER:

I am directed to inform you that the senate has concurred in the 1st, 2nd, 3rd, 4th, 5th, 6th, 7th, 8th, 9th and 10th amendments of assembly to

No. 32, (S.) A bill relating to common schools;

And have con-concurred in the 11th amendment to said bill.

And that the senate has adopted the several recommendations of the report of the committee of conference on the disagreeing vote of the two houses on amendments of assembly to

No. 57, (S.) A bill relating to counties and county officers;

And has concured in the amendments of assembly to

No. 4, (S.) A bill to amend an act to provide for the appraisal and subdivision of the school and university lands, approved August 12th, 1848; Also that the senate has passed

No. 93, (S.) A bill to authorize school district number three, in the town of Troy, county of Walworth to raise a tax,

In which the concurrence of the assembly is requested.

No. 74, (A,) A bill to consolidate and amend an act entitled "an act to incorporate Carroll College," approved January 31, 1846, and an act amendatory thereto, approved January 25th, 1847;

No. 78, (A.) A bill to authorize the treasurer of the town of Belgium, in the county of Washington to receive certain monies;

No. 84, (A.) A bill to change the name of the town of Butte des Mortes, in the county of Winnebago;

No. 86, (A.) A bill to organize the town of New Holstein in Calumet county; and

No. 88, (A.) A bill to authorize the recording of the town plat of the town of Belmont in La Fayette county and for other purposes;

Were severally read the third time, passed, and the titles thereof agreed to.

No. 72, (A.) A bill making an appropriation for a contingent fund;

Was read the third time.

And the question, "shall the bill pass",

Having been put,

Mr. Kelsey moved that the further consideration thereof be indefinitely postponed;

Which was agreed to.

No. 80, (A.) A bill to appropriate to David Holt the sum theren named,

Was read the third time.

And the question, "shall the bill pass?"

Having been put, (three-fifths of the members being present,)

It was decided in the affirmative.

Those who voted in the affirmative were

Messrs. Alden, Ayres, Bird, Bowron, Briggs, Brown, Burns, Chase, Colley, Cotton, Clark, Crandall, Crawford, Daugherty, Delaney, Dick, Fagan, Flynn, Gillilan, Hastings, Hazard, W. H. Johnson, Solon Johnson, Juneau, Kelsey, Kerr, Kuehn, Kimball, King, Leland, Lown, Martin, Noble, O'Neil, Page, Parkinson, Pike, Pope, Reymert, Rickerson, Rockwell, Strong, Thomas, Toland, Townsend, Turck. Warren, Wasson, Wells, White, Willard and Hobart, (speaker.)—52.

No. 83, (A.) A bill to amend an act, approved August 19th, 1848, entitled "an act to organize the several towns therein named;"

Was read the third time.

And the question, "shall the bill pass?"

Having been put,

It was decided in the negative.

No. 85, (A.) A bill to organize the town of Primrose in Dane county;

Was read the third time.

And the question being on the passage thereof,

Mr. Bird moved that said bill be laid upon the table;

Which was agreed to.

No. 79, (A.) A bill to audit the claims of Racine county;

Was read the third time.

And the question, "shall the bill pass?"

Having been put, (three fifths of the assembly being present,)

It was decided in the affirmative.

Those who voted in the affirmative, were

Messrs. Ayers, Bird, Briggs, Brown, Chase, Colwell, Colley, Cotton, Clark, Crandall, Daugherty, Delaney, Dick, Fagan, Flynn, Gillilan, Hastings, W. H. Johnson, Solon Johnson, Juneau, Kerr, Kimball, King, Leland, Lown, Martin, Page, Parkinson, Pike, Reymert, Rockwell, Strong, Thomas, Toland, Townsend, Turck, Wells, White and Willard—39.

Those who voted in the negative, were

Messrs. Bowron, Burns, Crawford, Hazard, Kelsey, Keuhn, Noble, O'Niel, Pope, Rickerson, Warren, Wasson, and Hobart, (speaker)—13.

On motion of Mr. Wells,

The assembly resolved itself into committee of the whole for the consideration of

No. 69, (S.) An act to prescribe certain duties of the attorney general of the state and the district attorney of Milwaukee county;

Mr, King in the chair.

And after some time spent therein the committee rose and by their chairman reported said bill back to the assembly, without amendments.

Said bill No. 69, (S.) was then ordered to be read the third time.

The messages from the senate were taken up,

No. 98, (S.) A bill to authorize school district No. 3, in the town of Troy and county of Walworth, to raise a tax,

Was read the first and second times.

Mr. Kelsey moved that the rules be suspended and that said bill be read the third time now;

Which was agreed to.

The said bill was then read the third time, passed, and the title thereof agreed to.

And the question being on insisting on the eleventh amendment of the assembly to

No. 32, S. A bill relating to common schools;

Having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Alden, Bowron, Briggs, Burns, Colley, Cotton, Crawford, Cross, Daugherty, Delaney, Fagan, Gillilan, Hastings, Kelsey, Kimball, Lown, Martin, Parkinson, Pike, Reymert, Rickerson, Rockwell, Thomas, Toland, Turck, Wasson, Wells, White and Hobart, (speaker.)—29.

Those who voted in the negative, were

Messrs. Ayres, Bird, Brown, Chase, Colwell, Clark, Crandall, Dick, Flynn, Hazard, Solon Johnson, Juneau, Kerr, Keuhn, King, Leland, Noble, O'Neil, Page, Pope, Strong, Townsend, Warren and Willard—24.

Mr. Burns moved that a committee of conference, consisting of three members of the assembly be appointed to act in conjunction with a similar committee on the part of the senate, on the disagreeing vote of the senate and assembly to said bill ,

Which was agreed to.

The speaker appointed Messrs. Burns, Wells, and Briggs, as said committee.

Mr. O'Neil moved that

No. 40, (A.) A bill to prevent obstructions of the Wisconsin river and its tributary streams,

Be taken from the table ;

Which was agreed to.

The amendments of the senate to said bill were concurred in

On motion of Mr. Strong,

The assembly resolved itself into committee of the whole for the consideration of the general file of bills :

Mr. Turck in the chair.

And after some time spent therein the committee rose and by their chairman reported back to the assembly

No. 52, (S.) A bill supplementary to an act to incorporate the Milwaukee Mutual Fire Insurance Company, approved December 27, 1837, and an act to amend an act to incorporate the Milwaukee Mutual Fire Insurance Company, approved February 4th, 1847 ;

No. 72 (S.) A bill to appropriate to Wm. R. Smith the sum therein named ; and

No. 89 (A.) A bill for extending the boundaries of the county of Winnebago,

Without amendments.

Mr. Delaney moved that said bill No. 52, (S.) be laid upon the table ;

Which was agreed to.

Mr. Brown moved that said said bill No. 72, (S.) be referred to the committee on claims ;

Which was agreed to.

Said bill No. 89, (A.) was ordered to be engrossed and read the third time.

Mr. Kerr, from the committee on enrolled bills, submitted the following report, to wit:

The committee on enrolled bills report that they have this day presented to his excellency the governor for his approval

An act to vacate a certain street in the village of Cedarburg;

An act to appropriate the several sums therein named;

An act to appropriate the sums of money therein named;

An act to repeal an act entitled an act to establish a municipal court in the city of Milwaukee, and all acts supplementary thereto;

An act to organize the county of St. Croix for judicial purposes and to attach the county of La Pointe thereto for such purposes.

Mr. Townsend presented the petition for the organization of the town of Algoma; also

A petition for the organization of the town of Clayton, Winnebago county;

Which were referred severally to the committee on town and county organization; and

A petition for a charter for a bridge across the south branch of Fox river, opposite Winnebago rapids;

Which was referred to the committee on roads, bridges and ferries.

On motion of Mr. Alden,

The assembly adjourned.

TUESDAY, February 27th, 1849.

Prayer by the Rev. Mr. Read.

No. 80, (S.) A bill in relation to the legislature; and

No. 82, (S.) A bill in relation to proceedings to compel the delivery of books and papers by the public officers to their successors;

Were severally read the third time, passed, and the titles thereof agreed to.

No. 98, (A.) A bill in relation to the law of roads and the regulation of public carriages.

Was read first and second times.

On motion of Mr. Strong,

The assembly resolved itself into committee of the whole for the consideration of said bill,

Mr. Keuhn in the chair.

And after some time spent therein the committee rose and by their chairman reported said bill back to the assembly,

With sundry amendments.

The amendments of the committee of the whole to said bill were severally concurred in,

And the question being on ordering said bill to be engrossed and read the third time,

Mr. Delaney moved to amend by adding

Sec.—All wagons carrying more than 5000 pounds shall be furnished with tires at least six inches wide, and any person or persons driving any vehicle carrying over such weight, which shall not be so furnished, shall forfeit and pay a sum not exceeding twenty dollars.

And the question being on the adoption of said amendment,

Having been put,

Mr. Wells moved that said bill and amendment be referred to a select committee of three;

Which was agreed to,

The speaker appointed Messrs. Wells, Burns, and Fagan as said committee.

A message from the senate by their chief clerk:

Mr. Speaker:

I am directed to inform you that the senate has passed.

No. 43, (A.) A bill to incorporate the "Wisconsin Bridge company;

Without amendment, and

No, 49, (A) A bill to organize the town of Charleston, in Calumet county,

With amendments, and

No. 70, (S.) A bill to enable the city of Milwaukee to aid in the construction of a rail-road from that city to the Mississippi river, and

No. 74 (S.) an act to provide for the payment of the commissioners to revise the laws and their clerk the sums therein named.

In which the concurrence of the assembly is requested.

Mr. O'Neill gave notice that on to-morrow or some future day he would ask leave to introduce

A bill to prevent the obstruction of the navigation of Black river in this state.

Mr. W. H. Johnson, from the committee on internal improvements to whom had been referred the petition of Jacob Lybrand and others for village charter, and

The remonstrance of F. F. West and 45 others against the incorporation of the village of Monroe,

Reported adversely to the prayer of the petition.

Which said report was accepted.

The speaker laid before the assembly the following communication from his excellency the governor.

EXECUTIVE DEPARTMENT,
Feb. 27th, 1849.

To the assembly:

An act entitled an act to organize the county of St. Croix, for judicial purposes, and to attach the county of Lapointe thereto for such purposes;

Was, on the 26th inst., approved and signed by me, and deposited in the office of secretary of state.

NELSON DEWEY.

Messages from the senate were then taken up.

The amendments of the senate to

No. 49, (A.) A bill to organize the several towns therein named,

Were severally concurred in.

No. 70 (S.) A bill to enable the city of Milwaukee to aid in the construction of a rail-road from that city to the Mississippi river;

Was read the first and secone times.

No. 74, (S.) An act to provide for the payment of the commissioners to revise the laws and their clerk the sums therein named;

Was read the first and second times.

Mr. Bowron moved that said bill be referred to the committee on claims.

Which was agreed to.

Mr. Noble presented

The petition of the inhabitants of the town of Auburn, Fond du Lac county, praying for a town organization;

Which was referred to the committee on town and county organization.

No. 69, (S.) An act to prescribe certain duties of the attorney general of the state, and the district attorney of Milwaukee county;

Was read the third time, passed, and the title thereof agreed to.

On motion of Mr. Strong,

The assembly resolved itself into committee of the whole for the consideration of the general file of bills,

Mr. Alden in the chair.

And after some time spent therein the committee rose and by their chairman reported back to the assembly

No. 91, (A.) A bill in relation to county officers;

No. 92, (A.) A bill to provide for the publication of the laws; and

No. 94, (A.) A bill to amend an act entitled "An act to incorporate the Lawrence Institute, of Wisconsin;"

Without amendment.

The said bill, No. 91, (A.) was ordered to be engrossed and read the third time.

The question being on ordering said bill, No. 91, (A.) to be engrossed and read the third time,

Mr. Strong moved that said bill be referred to the committee on the judiciary:

Which was agreed to.

And the question being on ordering said bill, No. 92, (A.) to be engrossed and read the third time,

Mr. Burns moved that said bill be referred to the committee on public printing and stationery;

Which was agreed to.

Mr. Kerr from the committee on enrolled bills, reported as correctly enrolled,

No. 93 (S.) A bill to authorize school district No. 3, in the town of Troy and county of Walworth, to raise a tax.

The said bill was thereupon signed by the speaker and transmitted to the senate.

On motion of Mr. Strong,

The assembly adjourned.

WEDNESDAY, February 28th, 1849.

Prayer by the Rev. Mr. Penman.

The reading of the journal of yesterday was dispensed with.

Petitions, &c., were presented and referred as follows, to, wit:

By Mr. Hastings:

The petition of T. H. Fellows and 30 others of the county of Walworth, praying for the passage of a law preventing swine from running at large on the public highway;

Referred to the committee on the expiration and re-enactment of laws.

By Mr. Strong:

The petition of J. G. Parker and 70 others praying for a normal school at Racine;

Referred to the committee on education and school lands.

By Mr. Bird:

Petition of D. C. Miller and 180 others praying for a division of the town of Dane;

Referred to the committee on town and county organization.

Mr. O'Neill introduced

No. 99, (A.) An act to prevent obstructions to Black river;

Which was read the first and second times.

Mr. Roys, from the committee on town and county organization, reported

No. 100 (A.) A bill to organize the town of Buena Vista in the county of Richland;

Which was read the first and second times.

Mr. Roys, from the same committee, submitted the following report, which was accepted, to wit:

The committee on town and county organization to whom was referred the petition of Gustavus de Nevarres and others of the towns of Eden and Taychedah in Fond du Lac county asking for a town organization, and a remonstrance against the same, and also the petition of voters of said county asking that town No. 16, north of range No. 19, may be organized into a separate town, together with a remonstrance against the same would respectfully

REPORT:

That they have considered the said petitions and remonstrances, and in the absence of other evidence have based their decision upon them alone. They find the remonstrances in both cases, to contain more names than the petitions, and therefore in point of numbers and weight of testimony (other things being equal) are entitled to the most consideration.

Your committee are disposed to report favorably upon applications of this kind when the evidence is clear that the prayer of the petitioners ought to be granted, but in these cases, when the evidence in their favor appears to be weighed down by greater evidence in the opposite scale, thereby leaving the matter in doubt which of the two sides is right, and in view of the fact that the legislature are about passing a law granting the power of organizing towns in the various counties to the several county boards of supervisors, where it can be done with a more thorough knowledge of the facts in each particular case, therefore your committee for these and other considerations deem it their duty to report adverse to the prayer of the petitioners in the above mentioned cases.

S. H. ROYS, Ch'n.

Mr. Leland, from the committee on enrolled bills, submitted the following report:

The committee on enrolled bills report that they did on yesterday present to his excellency the governor for his approval

An act to authorize school district No. 3, in the town of Troy, and county of Walworth to raise a tax.

Mr. Wells, from the select committee to whom the same had been referred, reported back to the assembly, No. 98, (A.) A bill in relation to the law of roads; and the regulation of public carriages,

With amendments,

Mr. White moved that

No. 52, (S.) A a bill supplementary to an act to incorporate the Milwaukee Mutual Fire Insurance company, approved December 27, 1837, and an act to amend an act to incorporate the Milwaukee Mutual Fire Insurance Company, approved February 4th, 1847.

Be taken from the table;

Which was agreed to.

Mr. Burns moved that said bill be referred to the committee on the judiciary;

Which was agreed to.

Mr. Burns introduced the following resolution which was adopted, to wit:

Resolved, That a committee of five be appointed to examine the report of the board of public works and such other documents as may be within their reach in regard to the improvement of the Fox and Wisconsin rivers, and that said committee be instructed to report fully to this house at as early a day as practicable.

The speaker appointed Messts, Burns, Strong, Noble, Cross, and Keuhn as said committee.

Mr. Daugherty, from the committee on engrossed bills submitted the following report, which was accepted, to wit:

The committee on engrossed bills would report the following named bills as correctly engrossed

No. 94, (A.) A bill to amend an act to incorporate the Lawrence Institute of Wisconsin;

No. 25, (A.) A bill to repeal certain acts therein mentoned;

No. 87, (A.) A bill to vacate a part of Monroe street in the village of Monroe;

No. 58, (A.) A bill to restore the name and rights of the Prairieville Academy,

No. 81, (A.) A bill relating to attorneys;

No. 67, (A.) A bill in relation to the boundaries of the counties of Adams, Columbia, Chippewa, Sauk, and St. Croix;

No. 89, (A.) A bill to extend the boundaries of the county of Winnebago.

No. 76 (A.) A bill in relation to the assessment and collection of taxes;

No. 4, (A,) A memorial to congress for a grant of land to aid in the construction of a rail road from the Falls of St. Croix to Lake Superior,

The said memorial, No. 4, (A.) and the said bills, Nos. 25, 58, 67, 81, 87, 89, and 94

Were severally read the third time, passed, and the titles thereof agreed to.

Mr. Wells moved that said bill.

No. 76, (A.) A bill providing for the assessment and collection of taxes;

Be re-committed to the committee of the whole;

Which was disagreed to.

Mr. Hastings moved to reconsider the vote by which the assembly refused to recommit;

Which was agreed to.

And the question being on recommitting said bill to the committee of the whole,

Having been put,

It was decided in the affirmative.

A message from the senate by their chief clerk:

Mr. Speaker.

I am directed to inform you that the senate has passed the following resolution:

Resolved, by the senate and assembly, That the enrolling committee be authorized to present to the governor for his approval an act relating to towns and town officers.

In which the concurrence of the assembly is requested.

And has passed

No. 37, (A.) A bill to authorize Cyrus Curtis, his associates and assigns, to build and construct a dam across Rock river;

With amendments;

In which the concurrence of the assembly is requested.

And has also passed

No. 85, (S.) A bill in relation to strays;

No. 86, (S.) A bill in relation to the disposition of unclaimed property;

No. 87, (S.) A bill regulating ferries;

No. 38, (S.) A bill to establish the county seat of LaFayette county and for other purposes;

No. 84, (S.) A bill to appropriate to John T. Wilson, Seymour & Varney, Dean & Co., Timothy Robertson, James Helpin, H. A. Tenney, Henry C. Parker, and Thomas Dunn, the several sums therein mentioned;

In which the concurrence of the assembly is requested.

And has concurred in the amendments of assembly to

No. 71, (S.) A bill to authorize Thomas P. Williams and others to build a bridge.

And have concurred in the following resolution:

Resolved, by the senate and assembly, That no new business of a private or local character shall be introduced, into either house after the 10th day of March, 1849.

Under the rule adopted,

The assembly resolved itself into committee of the whole for the further consideration of said bill,

No. 76, (A.) A bill providing for the assessment and collection of taxes,

Mr. Cross in the chair.

And after some time spent therein the committee rose, and by their chairman, reported progress, and asked leave to sit again

Leave was granted.

Mr, Leland, from the committee on enrolled bills, reported as correctly enrolled

No. 43, (A.) A bill to incorporate the Wisconsin bridge company;

The said bill was thereupon signed by the speaker and transmitted to the senate

On motion of Mr, Noble,

The assembly adjourned until half past two, P. M.

HALF PAST TWO O'CLOCK, P. M.

The speaker laid before the assembly the following report from the commissioners to revise the laws, viz:

Hon. Harrison C. Hobart,
Speaker of the assembly:

SIR: We have the honor to submit herewith additional chapters of our report as commissioners to revise the laws.

You will please lay the same before the legislature.

Respectfully your obd't servants,
C. M. BAKER,
C. S. JORDON,

Madison, Feb. 28, 1849.

The chapters referred to in said report, to wit:

No. 101, (A.) A Bill in relation to school and university lands, the sale thereof, and the powers and duties of the commissioners of said lands;

No. 102, (A.) A bill in relation to the formation of corporations for manufacturing, lumbering, mechanical and chemical purposes; and

No. 103, (A.) A Aill in relation to limited partnerships;

Were read the first and second times, and

On motion of Mr. Daugherty,

Laid on the table and ordered to be printed.

Mr. Leland introduced the following resolution, to wit:

Resolved, the senate concurring, That the senate and assembly meet in the assembly chamber on Saturday, the third day of March next, at two o'clock in the afternoon to appoint by joint vote some person for register of the state land office and some person to be treasurer of the board of public works.

Mr. Townsend moved to amend the same by striking out "Saturday, the third," and inserting "Thursday, the 1st;"

Which was agreed to.

And the question being on the adoption of said resolution as amended,

Having been put,

It was decided in the affirmative.

Messages from the senate were then taken up.

The resolution of the senate relative to presenting "An act relating to towns and town officers," to the governor for his approval.

Was concurred in.

The question being on concurring in the amendments of the senate to

No. 37, (A.) A bill to authorize the construction of a dam across Rock river;

And the question being on concurring in the first amendment, which was

To strike out the second section of the bill;

Having been put,

It was decided in the negative.

And the question being on concurring in the second amendment, which was

"Add a new section:

This act shall not be construed to authorize the said Cyrus Curtis or any other person who may erect or maintain the said dam to flow the land of any individual without his consent or to raise the water of said river to the injury of mills now erected above the said dam, or in any wise to affect any suits now pending either in law or equity touching the rights of said Curtis or any other person to erect or maintain a dam at the place aforesaid;

Having been put,

It was decided in the affirmative.

No. 84, (S.) A bill to appropriate to John T. Wilson, Seymour & Varney, Dean & Co., Timothy Robertson, James Helpin, H. A. Tenney, Henry C. Parker, and Thomas Dunn, the sums therein named;

No. 85, (S.) A bill in relation to strays;

No. 86, (S.) A bill in relation to the disposition of unclaimed property;

No. 87, (S.) a bill regulating to ferries; and

No. 38, (S.) A bill to establish the county seat of LaFayette county and for other purposes;

Were severally read first and second times.

Mr. Parkinson moved that said bill, No. 38, (S.) be referred to the committee to whom was referred the petition on that subject;

Which was agreed to.

Mr. Brown moved that said bill, No. 84, (S.) be referred to the committee on claims;

Which was agreed to.

On motion of Mr. Bowron,

The assembly resolved itself into committee of the whole for the further consideration of

No. 76 (A.) A bill in providing for the assessment and collection of taxes;

Mr. Crandall in the chair.

And after some time spent therein the committee rose and by their chairman reported back to the assembly said bill

Without amendments.

And the question being on ordering said bill to be engrossed and read the third time,

Mr. Daugherty moved to strike out the word personal in the 10th line of section 17.

Mr. Noble moved to amend the amendment:

"Strike out the word personal in the 10th line and add to section 17 as follows:

" But no debts due to persons living out of this state shall be so deducted ;"

And the question on the adoption of the amendment to the amendment,

Having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered;

Those who voted in the affirmative, were

Messrs. Alden, Barber, Burns, Chase, Colley, Crandall, Delaney, Dick, Fagan, Flynn, Gillilan, Hill, Kimball, King, Noble, O'Neal, Parkinson, Pierce, Rickerson, Toland, Warren, Wasson, Wells, and Hobart, (speaker,)—24.

Those who voted in the negative, were

Messrs. Ayres, Bird, Bowron, Biggs, Brown, Colwell, Clark, Crawford, Daugherty, Hastings, Hazard, W. H. Johnson, Juneau, Kelsey, Kerr, Keuhn, Leland, Lown, Page, Pike, Reymert, Rockwell, Roys, Strong, Sugden, Thomas, Turck, White, and Willard—30.

And the question on the adoption of the amendment

Having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered

Those who voted in the affirmative, were

Messrs. Alden, Burns, Chase, Colley, Crandall, Daugherty, Delaney, Dick, Fagan, Flynn, Gillilan, Hazard, Hill, Solon Johnson, Kimball, Meade, Noble, O'Neil, Parkinson, Pierce, Pike, Rickerson, Roys, Thomas, Toland, Townsend, Warren, Wasson. Wells and Hobart, (speaker)—30.

Those who voted in the negative, were

Messrs. Ayers, Barber, Bird, Boworn, Briggs, Brown, Colwell, Clark, Crawford, Cross, Hastings, W. H. Johnson, Juneau, Kelsey, Kerr, Keuhn, King, Leland, Lown, Martin, Page, Reymert, Strong, Sugden, Turck, White and Willard—27.

Mr. Delaney moved to amend section 17 by striking out of the eleventh line the words "after deducting just debts;"

The question being on the adoption of said amendment,

Mr. Hobart moved that said bill and amendment be laid on the table;

Which was agreed to.

Leave of absence was granted to Messrs. Cotton, Pope, and King.

Mr. Kerr, from the committee on enrolled bills, reported That they have this day presented to his excellency the governor for his approval

An act to incorporate the "Wisconsin Bridge company;"

On motion of Mr. Alden,

The assembly adjourned.

THURSDAY, March 1st, 1849.

Under the rule, the assembly resolved itself into committee of the whole, for the consideration of

No. 85, (S.) A bill relating to strays;

Mr. Noble in the chair.

After some time spent therein the committee rose, and by their chairman, reported said bill back to the assembly with sundry amendments.

And the question being on concurring in the amendments of the committee of the whole to said bill, Mr. Chase moved that said bill and amendments be referred to the committee on religious and charitable societies;

Which was agreed to.

Mr. Strong, from the joint committee on compiling the laws, reported

No. 104, (A.) A bill concerning the writ of habeas corpus; and

No. 105, (A.) A bill concerning fraudulent conveyances and contracts relative to lands;

Which were severally read the first and second times.

Mr. Strong moved that said bills be laid upon the table;

Which was agreed to.

Mr. Barber moved that

No. 73, (A.) A bill to provide for the location of a state's prison,

Be taken from the table and returned to the general file;

Which was agreed to.

Mr. Burns introduced the following resolution, which was adopted, to wit:

Resolved, by the senate and assembly, That the enrolling committee be authorized to present the governor for his approval, "an act relating to state officers."

Mr. Kerr, from the committee on enrolled bills, reported as correctly enrolled,

No. 40, (A.) A bill to prevent obstructions of the Wisconsin river and its tributary streams;

No. 71, (S.) A bill to authorize Thomas P. Williams and others to build a bridge,

No. 82, (S.) A bill in relation to proceedings to compel the delivery of books and papers by public officers to their successors;

No. 80, (S.) A bill in relation to the legislature; and

No. 69, (S.) An act to prescribe certain duties of the attorney general of the state and the district attorney of Milwaukee county.

The said bills were thereupon signed by the speaker and transmitted to the senate.

A message from the senate by their chief clerk:

MR. SPEAKER:

I am directed to inform you that the senate has refused to recede from the first amendment of senate to

No. 37, (A.) A bill to authorize the construction of a dam across Rock river.

And has appointed Messrs. Smith and Botkin, a committee of conference to act with a similar committee on the part of the assembly on the disagreeing vote of the two houses on said bill No. 37, (A.)

And that the senate has passed

No. 5, (S.) A bill to provide for the protection of married woman in the enjoyment of their property;

No. 95, (S.) A bill to provide for the collection of demands against boats and vessels.

In which the concurrence of the assembly is requested.

And has concurred in the adoption of the resolution providing for the election of a register of state lands and treasurer of the board of public works, with an amendment.

In which the concurrence of the assembly is requested.

On motion of Mr. Hastings,

The assembly resolved itself into committee of the whole for the consideration of the general file of special bills, under the rule,

Mr. Hastings in the chair.

And after some time spent therein the committee rose and by their chairman reported back to the assembly

No. 86, (S,) A bill in relation to the disposition of unclaimed property,

Without amendments;

No. 87, (S) A bill regulating ferries, and

No. 98, (A.) A bill in relation to the law of roads; and the regulation of public carriages,

With amendments:

The question being on concurring in the amendments of the senate to said bill No. 86, (S.)

Mr. White moved that the further consideration thereof be postponed one week;

Which was agreed to.

The amendments of the senate to said bill No. 87, (S.) were concurred in, and the bill ordered to be read the third time.

And the question being on concurring in the amendments of the committee of the whole to said bill No 98, (A.)

Mr. Hazard moved that said bill be laid upon the table;

Which was disagreed to.

On motion of Mr. Reymert,

The assembly adjourned until half past two, P. M.

HALF PAST TWO O'CLOCK, P. M.

The reading of the journals of Tuesday and Wednesday was dispensed with.

Mr. Leland presented the petition of Agoston Harazthy and Charles Harazthy to change the name of the town of Harazthy to that of Westfield;

Which was referred to the committee on town and county organization.

Mr. Chase presented the claim of Jared Thompson for mileage and attendance, as a member of the territorial legislature in 1842 and 1843;

Referred to the committee on claims.

Mr. White, by leave, introduced

No. 106, (A.) A bill in relation to warehouse men, storage, forwarding and commission merchants and millers;

Which was read the first and second times, and

On motion of Mr. White,

Referred to the committee on the judiciary.

Mr. Page, by leave, introduced

No. 107, (A.) A bill to declare part of a state road to be a lawful highway;

Which was read the first and second times, and

On motion of Mr. Page,

Referred to the committee on roads, bridges and ferries.

Mr. Brown, from the committee on claims, to whom the same had been referred, reported back to the assembly

No. 85, (S.) A bill to appropriate to John T. Wilson, Seymour & Varney, Dean & Co., Timothy Robertson, James Halpin, H. A. Tenney, Henry C. Parker and Thomas Dunn the several sums therein named,

Without amendments, recommending the passage thereof.

Mr. Alden, from the minority of the committee on state's prison, submitted a report, which was accepted.

Mr. Wells moved that said report be laid upon the table and ordered to be printed,

Which was agreed to.

Mr. Wells, from the select committee to whom the same had been referred, reported back to the assembly

No. 93, (A.) A bill to authorize the electors of La Fayette county to vote on the removal of the county seat,

Without amendment, recommending the passage thereof.

And reported adversely to the passage of

No. 38, (S.) A bill to establish the county seat of La Fayette county, and for other purposes.

Mr. Hill moved that said bill be laid upon the table;

Which was disagreed to.

Mr. Kelsey, from the committee on the judiciary, reported back to the assembly

No. 52, (S.) A bill supplementary to an act to incorporate the Milwaukee Mutual Fire Insurance Company, approved December 27, 1837, and an act to amend an act to incorporate the Milwaukee Mutual Fire Insurance Company, approved February 4th, 1847;

With amendments.

Messages from the senate were then taken up.

No. 94, (S.) A bill to pay the several sums therein named;

No. 5, (S.) A bill to provide for the protection of married women in the enjoyment of their property; and

No. 95, (S.) A bill to provide for the collection of demands against boats and vessels,

Were severally read the first and second times.

The amendment of the senate to the resolution in relation to the election of the register of state lands and treasurer of the board of public works, was concurred in.

On motion of Mr. Clark,

The assembly resolved itself into committee of the whole for the consideration of said bill

No. 91, (S.) A bill to pay the several sums therein named;

Mr. Wasson in the chair.

And after some time spent therein the committee rose and by their chairman reported said bill back to the assembly

With an amendment.

The amendment of the committee of the whole to said bill,

Was concurred in.

Mr. Noble moved that rules be suspended and that said bill No. 94. (S.) be read the third time now ;

Which was agreed to.

The said bill was read the third time.

And the question, "shall the bill pass ?"

Having been put, (three-fifths of the assembly being present,)

It was decided in the affirmative.

Those who voted in the affirmative were

Messrs. Alden, Ayers, Barber, Bowron, Briggs, Brown, Burns, Chase, Colwell, Colley, Clark, Crandall, Crawford, Daugherty, Fagan, Gillilan, Hastings, Hill, W. H. Johnson, Solon Johnson, Kelsey, Keir, Keuhn, Kimball, Leland, Lown, Martin, Noble, O'Niel, Page, Parkinson, Pike, Reymert, Rickerson, Rockwell, Roys, Thomas, Toland, Townsend, Turck, Warren, Wasson, Wells, White, Willard and Hobart, (speaker)—46.

Those who voted in the negative, were

Messrs. Bird, Flynn, Hazard, Juneau, King, Meade, Pierce, and Sugden—8.

The title of said bill was then agreed to.

The speaker appointed Messrs. W. H. Johnson and Martin as a committee of conference on the part of the assembly on the disagreeing vote of the senate and assembly on bill No. 37, (A.)

Mr. Rickerson moved that

No. 85, (A.) A bill to organize the town of Primrose in Dane county into separate towns ;

Be taken from the table and referred to the delegation from Dane county ;

Which was agreed to.

Mr. Rickerson moved that

No. 82, (A.) A bill to divide the town of Cottage Grove, in Dane county,

Be taken from the table ;

Which was agreed to.

And the question being on ordering said bill to be engrossed and read the third time.

Mr. Roys moved to amend by striking out the name of Orsemas Macray, and insert the name of Roswell Brown;

Which was agreed to.

The said bill was then read the third time.

On motion of Mr. White,

The assembly resolved itself into committee of the whole for the consideration of the general file of bills,

Mr. Kerr in the chair.

And after some time spent therein the committee rose and by their chairman reported back to the assembly

No. 55, (S.) An act to prescribe certain duties of the board of public works, and to amend an act entitled "An act to provide for the improvement of the Fox and Wisconsin rivers and connecting the same by canal, approved August 8th, 1848;

No. 97, (S.) A bill to authorize the apportionment of school monies to district No. 10, in the town of Lima and Johnstown in the county of Rock:

No. 96, (A.) A bill to legalize the proceedings of a school meeting held in school district No. 2, in the town of Medina, Dane county, and to raise an additional tax to build a school house;

No. 95, (A.) A bill to amend the charter of the city of Racine; and

No. 57, (A.) A bill to amend the act entitled "an act to establish the times of holding circuit courts;"

Without amendments.

Also reported progress on the general file and asked leave to sit again.

Leave was granted.

A message from the senate by their chief clerk:

Mr. Speaker:

I am directed to inform you that the senate has passed,

No. 76, (S.) A bill to amend an act entitled "an act to incorporate the Merchants Mutual Insurance company of Milwaukee;

No. 77, (S.) A bill to incorporate the Methodist Episcopal Church;

No. 89, (S.) A bill prescribing certain duties to be performed by the clerks of counties under the county commissioner system of government;

No. 75, (S.) A bill to incorporte Dane Academy; and

No. 7, (S.) Joint resolutions relative to a proposed amendment to the constitution of the United States, concerning the election of senators in Congress,

In which the concurrence of the assembly is requested.

And has passed

No, 24, (A.) A bill to extend the boundaries of the county of Marquette;

Without amendment.

And has concurred in the amendment of the assembly to

No. 94, (S.) A bill to pay the several sums therein named.

And has concurred in the following resolution;

Resolved, by the senate and assembly, That the enrolling committee be authorized to present to the governor for his approval

An act relating to state officers.

On motion of Mr. Clark,

The assembly adjourned.

FRIDAY, March 2d, 1849.

Prayer by the Reverend Mr. Penman.

No. 87, (S.) A bill regulating ferries;

Was read the third time, passed, and the title thereof agreed to.

The amendments of the committee of the whole to

No. 98, (A.) A bill in relation to the law of roads and the regulation of public carriages;

Were severally concurred in.

And the said bill was ordered to be engrossed and read a third time.

A message from the senate by their chief clerk:

MR. SPEAKER:

I am directed to inform you that the senate has passed

No. 42, (A.) A bill to change the boundary of the towns of Jefferson and Koshkonong, in the county of Jefferson; and

No. 4, (A,) A memorial to congress for a grant of land to aid in the construction of a rail road from the Falls of St. Croix to Lake Superior;

Without amendment. And

No. 87, (A.) A bill to vacate a part of Monroe street in the village of Monroe;

With amendments;

In which the concurrence of the assembly is requested.

On motion of Mr. Bowron,

The assembly resolved itself into committee of the whole for the consideration of

No. 95, (S.) A bill to provide for the collection of demands against boats and vessels;

Mr. Meade in the chair.

And after some time spent therein the committee rose and by their chairman reported said bill back to the assembly, without amendments.

The said bill No. 98, (S.) was ordered to be read the third time.

Mr. Strong moved that

No. 104, (A.) A bill concerning the writ of habeas corpus;

Be taken from the table.

And that the rules be suspended and that said bill be read the third time by its title now;

Which was agreed to.

The said bill No. 104, (A.), was read the third time, passed, and the title thereof agreed to.

Mr. Strong moved that

No. 105, (A.) A bill concerning fraudulent conveyances and contracts relative to lands;

Be taken from the table.

And that the rules be suspended and that said bill be read the third time by its title now;

Which was agreed to.

The said bill No. 105, (A.) was read the third time, passed, and the title thereof agreed to.

Mr. Daugherty, from the committee on engrossed bills reported as correctly engrossed

No. 82, (A.) A bill to divide the town of Cottage Grove in Dane county, into two separate towns;

Mr. Kerr presented

The petition of Seth A. Allen and 30 others, praying for the location of a state road;

Which was referred to the committee on roads, bridges and ferries.

Mr. Clark gave notice, that on to-morrow or some future day, he would ask leave to introduce

A bill to alter the boundaries of certain towns in the county of Marquette; and

A bill to exempt from taxation the property therein mentioned.

Mr. Rickerson, from the select committee to whom the same had been referred, reported back to the assembly

No. 85, (A.) A bill to organize the town of Primrose, in Dane county;

With amendments.

Mr. Warren, from the select committee to whom bill No. 51, (A.) had been referred, submitted the following report, which was accepted, to wit:

The select committee to whom was referred bill

No. 51, (A.) A bill to annex a portion of the towns of Beaver Dam and Lowell in Dodge county, to the town of Fairfield;

Have had the same under consideration, together with petitions and remonstrances, and have instructed me to report adversely to the passage of said bill.

P. WARREN, Ch'n.

Mr. Burns introduced the following resolution, which was adopted, to wit:

Resolved, by the senate and assembly, That the secretary of state is hereby directed to procure and place in the possession of the secretary of the state historical society of Wisconsin, a complete set of the official printed documents of the late territory as well as of the state of Wisconsin.

Messages from the senate were then taken up.

No. 7, (S.) Joint resolutions relative to a proposed amendmend to the constitution of the United States, concerning the election of senators in congress;

No. 75, (S.) A bill to incorporate Dane Academy;

No. 76, (S.) A bill to amend an act to incorporate the Merchants' Mutual Insurance Company of Milwaukee;

No. 77, (S.) A bill to incorporate the Methodist Episcopal Church; and

No. 89, (S.) A bill prescribing certain duties to be performed by the clerks of counties under the county commissioner system of government;

Were severally read the first and second times.

The amendments of the senate to

No. 87, (A.) A bill to vacate part of Monroe street in the village of Monroe, Green county;

Were concurred in.

The substitute of the committee of the whole for

No. 57, (A,) A bill to amend the act entitled "an act to establish the times of holding circuit courts;"

Was adopted.

Mr. Bird moved that the rules be suspended, and that said bills be read the third time and passed now;

Which was agreed to.

Said bill No. 57, (A.) was read the third time, passed, and the title thereof agreed to.

No. 95, (A.) A bill to amend the city charter of the city of Racine;

No. 96, (A.) A bill to legalize the proceedings of a school meeting held in school district number two, in the town of Medina, in Dane county, and to raise an additional tax to build a school house; and

No. 97, (A.) A bill to authorize the apportionment of school monies to district No. 10, in the town af Lima and Johnstown, in the county of Rock;

Were severally ordered to be engrossed and read the third time.

The question being on ordering

No. 55, (S.) A bill to prescribe certain duties of the board of public works, and to amend an act entitled an act to provide for the improvement of the Fox and Wisconsin rivers and connecting the same by a canal, approved August 8th, 1848;

To be read the third time,

Mr. Meade moved to amend

By inserting after the word "Depere" in the eighth line of the 1st section, the following:

"And the said works shall all be contracted for as nearly as may be at the same time."

And the question on the adoption of said amendment

Having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Ayres, Colley, Clark, Crandall, Dick, Juneau, Martin, Meade, Reymert, White, Willard and Hobart, (speaker,)—12.

Those who voted in the negative, were

Messrs. Alden, Barber, Bird, Bowron, Briggs, Brown, Burns, Chase, Colwell, Crawford, Daugherty, Delaney, Fagan, Flynn, Gillilan, Hastings, Hazard, Hill, W. H. Johnson, Solon Johnson, Kelsey, Kerr, Keuhn, Kimball, Leland, Lown, Noble, O'Niel, Page, Parkinson, Phelps, Pierce, Pike, Rickerson, Rockwell, Roys, Sugden, Thomas, Thorp, Toland, Townsend, Turck, Warren, Wasson, Wells, and Young,—46.

Mr. Clark moved to amend the bill by adding thereto the following section, to wit:

"It shall be the duty of the register of the state land office to reserve from sale for six months after the opening of his office, all lands which have been heretofore purchased of the United States at the land office at Green Bay, unless the claimants of said lands shall wish to purchase said lands sooner.

The register of said land office shall procure from the United States land office at Green Bay, an abstract of all the lands contained in the grant to the state which have been sold at said United States office since said agent.

Every person who has since the said grant to the state purchased any lands contained within said grant at the United States land office at Green Bay from the United States, shall be entitled to purchase such lands for one dollar and a quarter per acre, at any time within six months after the office of the register of the state land office shall be opened; and it shall be the duty of the said state register to sell such lands as above stated."

Mr. Meade moved that said bill and amendment be re-committed to the committee on internal improvements.

And the question on the adoption of said motion

Having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Ayers, Juneau, Meade, and Reymert,—4.

Those who voted in the negative, were

Messrs. Alden, Bird, Bowron, Briggs, Brown, Burns, Chase, Colwell, Colley, Clark, Crandall, Crawford, Daugherty, Delaney, Dick, Fagan, Flynn, Gillilan, Hastings, Hill, W. H. Johnson, Kelsey, Kerr, Kuehn, Kimball, Leland, Lown, Martin, Noble, O'Neill, Page, Parkinson, Phelps, Pierce, Pike, Reymert Rockwell, Roys, Sugden, Thomas, Thorp, Toland, Townsend, Turck, Warren, Wasson, Wells, White, Willard, Young, and Hobart, (speaker.)—51.

And the question recurring on the adoption of the amendment offered by Mr. Clark,

Having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Ayres, Barber, Chase, Clark, Fagan, Juneau, Meade, Wasson, and Hobart, (speaker.)—9.

Those who voted in the negative, were

Messrs. Alden, Bird, Bowron, Briggs, Brown, Burns, Colwell, Colley, Crandall, Crawford, Delaney, Dick, Flynn, Daugherty, Gillilan, Hastings, Hazard, Hill, W. H. Johnson, Kelsey, Kerr, Keuhn, Kimball, Leland, Lown, Martin, Noble, O'Neil, Page, Parkinson, Phelps, Pierce, Pike, Reymert, Rickerson, Rockwell, Roys, Sugden, Thomas, Thorp, Toland, Townsend, Turck, Warren, Wells, White, Willard and Young,—47.

Mr. Clark moved further to amend by adding as follows:

"Any actual settler upon the lands aferesaid, who is desirous of purchasing immediately all or a part of the lands claimed by him, may file a written notice with the register of the state land office, specifying what tracts he is desirous of purchasing, and that he is ready to pay for the same; and the board of public works shall first offer for sale all such tracts as have been specified in said notices, where any settler has purchased by the provisions of this section, only a part of the lands claimed by him, it shall in no manner prejudice his rights to a pre-emption on the balance of such lands."

And the question on the adoption of said amendment,

Having been put,

It was decided in the negative.

Mr. Bird moved that the rules be suspended, and that said bill be read the third time now;

Which was agreed to.

The said bill No. 55, (S.) was then read the third time, passed, and the title thereof agreed to.

Mr. Kerr, from the committee on enrolled bills submitted the following report:

The committee on enrolled bills, report that they did on yesterday present to his excellency for his approval,

An act to organize the several towns therein named;

An act to prevent obstructions of the Wisconsin river and its tributary streams;

An act in relation to towns and town officers;

An act to prescribe certain duties of the attorney general of the state and the district attorney of Milwaukee county;

An act to authorize Thomas P. Williams and others to build a bridge,

An act to amend an act to provide for the appraisal and subdivision of the school and university lands, approved August 12th, 1848;

An act to provide for the protection of shade trees, hedges and fences in certain cases.

The committee on enrolled bills report that they have examined

No. 94, (S.) A bill to pay the several sums therein named;

And find it correctly enrolled.

The said bill was thereupon signed by the speaker and transmitted to the senate.

On motion of Mr. Gillilan,

The assembly adjourned until half past two, P. M.

HALF PAST TWO O'CLOCK, P. M.

The reading of the journal of yesterday was dispensed with.

Mr. Kerr, from the committee on enrolled bills, reported that they have this day presented to his excellency the governor for his approval,

An act in relation to state officers; and

An act to pay the several sums therein named. Also,

That they have examined

No. 79, (A.) A bill to audit the claims of Racine county;

No. 86, (A.) A bill to organize the town of New Holstein in Calumet county; and

No. 80, (A.) An act to appropriate to David Holt, Jr., the sum therein named;

And find the same correctly enrolled.

The said bills were thereupon signed by the speaker and transmitted to the senate.

Mr. Clark gave notice that on to-morrow or some future day he would ask leave to introduce

A bill to amend an act entitled an act to provide for the improvement of the Fox and Wisconsin rivers and connecting the same by a canal.

Petitions were severally presented and referred as follows, to wit:

By Mr Meade:

The petition of citizens of Brown county to organize the town of Appleton in said county; Also,

The petition of the board of supervisors of Brown county asking a law to authorize them to collect taxes in certain towns in said county;

Referred severally to the committee on the judiciary. Also,

The petition of the board of supervisors of Brown county, asking authority to levy a tax to build a court house;

Referred to the committee on town and county organization. Also,

The petition of Reeder Smith and others, praying for the incorporation of a joint stock company;

Referred to the committee on incorporations.

By Mr. Kimball:

The petition of Wm. P. Caldwell and 30 others, of the town of Waterloo, in Jefferson county, school district number one.

By W. H. Johnson:

Remonstrance from George Mowers and 14 others, inhabitants of district number one, town of Waterloo, against the petition from inhabitants of said district, for leave to raise money to build a school house;

Referred severally to the committee on education and school lands.

By Mr. Townsend:

The petition for a state road from Neenah to the Wolf river;

Referred to the committee on roads, bridges and ferries.

By Mr. O'Neil:

The petition of the inhabitants of Black river, Crawford county, in reference to the removal of the Chippewa Indians;

Referred to a select committee consisting of Messrs. O'Neil, Willard and Dick.

Mr. Roys, from the committee on town and county organization, reported

No. 108, (A.) A bill to divide the town of Brighton in the county of Winnebago; and

No. 109, (A.) A bill to authorize the people of Winnebago county to remove their county seat from Oshkosh to Butte des Morts;

Which were read the first and second times,

Messages from the senate were taken up.

No. 92, (S.) A bill to provide for the publication of the laws at the present session of the legislature;

Was read the first and second times.

No. 12, (S) Joint resolutions for appointing committees on enrolled bills;

Was adopted.

Mr. White by leave, introduced

No. 110, (A.) A bill to authorize the construction of a wharf on the Milwaukee river;

Which was read the first and second times.

Mr. Roys, from the committee on town and county organization, reported

No. 111, (A.) A bill to organize the town of Vinland in Winnebago county.

Mr. Clark, from the committee on roads, bridges, and ferries, reported

No. 112, (A.) A bill to declare the Fond du Fac river a navigable stream;

Were severally read the first and second times.

Mr. Clark, from the same committee to whom it had been referred, reported back to the assembly

No. 107, (A.) A bill to declare part of a state road to be a lawful highway;

Without amendment, recommending the passage thereof.

A message from the senate by their chief clerk:

MR. SPEAKER:

I am directed to inform you that the senate has concurred in the amendments of assembly to

No. 87, (S.) A bill regulating ferries;

And has adopted the following resolution:

No. 12, (S.) Joint resolution for appointing committee on enrolled bills;

In which the concurrence of the assembly is requested.

And has passed

No. 92, (S.) A bill to provide for the publication of the laws passed at the present session of the legislature;

In which the concurrence of the assembly is requested.

And that senate has passed

No. 104, (A.) A bill concerning the writ of habeas corpus;

No. 105, (A.) A bill concerning fraudulent conveyances and contracts relative to lands;

No. 96, (S.) A bill for an act to authorize the board of supervisors of Dane county to borrow money to build a court house, and to purchase a site for the same:

In which the concurrence of the assembly is requested.

And has passed

No. 57, (A,) A bill to amend an act entitled "an act to establish the times of holding circuit courts;"

Without amendment.

And has passed

No. 67, (A.) A bill in relation to the boundaries of the counties of Columbia, Adams, Sauk, Chippewa, La Pointe, and St. Croix;

With an amendment.

In which the concurrence of the assembly is requested.

On motion of Mr. Bowron,

The assembly resolved itself into committee of the whole for the consideration of

No. 61, (A.) A bill for a laborers lien.

Mr. White in the chair.

And after some time spent therein the committee rose and by their chairman reported said bill back to the assembly

With amendments.

The question being on concurring in the first amendment of the committee of the whole to said bill,

Having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Barber, Bowron, Briggs, Brown, Chase, Colwell, Colley, Crandall, Crawford, Delaney, Dick, Flynn, Gillilan, Hazard, Juneau, Kimball, Martin, Noble, O'Niel, Parkinson, Phelps, Roys, Thomas, Toland, Townsend, Turck, Wasson, Wells, White, Willard, Young and Hobart, (speaker)—31.

Those who voted in the negative, were

Messrs. Ayers, Clark, Daugherty, Fagan, Hastings, Hill, W. H. Johnson, Solon Johnson, Kelsey, Kerr, Keuhn, Leland, Lown, Meade, Page, Pierce, Pike, Reymert, Rickerson, Rockwell, Sugden, Thorp, and Warren—23.

The second, third, fourth, fifth and sixth amendments of the committee of the whole to said bill

Were severally concurred in.

Mr. Reymert moved to amend the said bill by adding another section, to wit:

Sec. The benefits of the above lien shall extend to all just debts of any nature.

And the question on the adoption of said amendment

Having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Ayres, Briggs, Brown, Chase, Clark, Crandall, Crawford, Delaney, Dick, Fagan, Hastings, Hill, Kelsey, Keuhn, Leland, Lown, Meade, Page, Parkinson, Pike, Reymert, Rickerson, Rockwell, Roys, Townsend, Wells, and Young—27.

Those who voted in the negative, were

Messrs. Alden, Barber, Bowron, Colwell, Colley, Daugherty, Flynn, Gillilan, Hazard, W. H. Johnson, Solon Johnson, Kerr, Kimball, Martin, Noble, O'Neal, Phelps, Pierce, Sugden, Thomas, Thorp, Toland, Turck, Warren, Wasson, Willard, and Hobart, (speaker,)—27.

The question being on ordering said bill to be engrossed and read the third time,

Mr. Bowron moved that said bill be referred to a select committee of five.

Mr. Reymert moved to amend by adding:

With instructions so to amend the bill as to make it equal in its operation to all classes of the community.

And the question on the adoption of the amendment

Having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Ayers, Briggs, Chase, Clark, Crandall, Crawford, Delaney, Dick, Fagan, Gillilan, Hastings, Hill, Solon Johnson, Kelsey, Keuhn, Leland, Lown, Meade, Page, Parkinson, Pike, Reymert, Rockwell, Sugden, Thomas, Wells, White, Young and Hobart, (speaker,)—30.

Those who voted in the negative, were

Messrs. Alden, Barber, Bowron, Brown, Colwell, Colley, Daugherty, Flynn, Hazard, W. H. Johnson, Kerr, Kimball, Martin, Noble, O'Neal, Phelps, Pierce, Roys, Thorp, Toland, Townsend, Turck, Warren, Wasson, and Willard,—25.

And the question on the adoption of the motion as amended,

Having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Ayers, Barber, Bowron, Briggs, Brown, Chase, Colwell, Colley, Clark, Crawford, Daugherty, Delaney, Dick, Fagan, Gillilan, Hastings, Hazard, Hill, W. H, Johnson, Solon Johnson, Kelsey, Kerr, Keuhn, Kimball, Leland, Lown, Martin, Meade, Page, Parkinson, Phelps, Pike, Reymert, Rickerson, Rockwell, Sugden, Thomas, Toland, Townsend, Turck, Willard, Young and Hobart, (speaker,)—43.

Those who voted in the negative, were

Messrs. Alden, Crandall, Flynn, Noble, O'Neil, Pierce, Roys, Thorp, Warren, Wasson, Wells, and White,—12.

Mr. Hastings, from the committee to whom had been referred

No. 68, (A.) A bill repealing all laws providing for the licensing of the sale of spirituous liquors ;

Submitted a report recommending the passage of the said bill.

Which said report was accepted.

On motion of Mr. White,

Said report was laid upon the table, and ordered to be printed.

Mr. Clark, from the committee on roads, bridges and ferries, reported

No. 113, (A.) A bill to declare certain roads in the town of Lisbon to be lawful highways ; and

No. 114, (A.) A bill to establish a state road from Fond du Lac to Port Washington ;

Which were read the first and second times.

Mr. Kelsey, from the select committee to whom had been referred No. 28, (S.) submitted the following majority and minority reports, which were accepted, to wit :

The select committee to whom was referred

No. 28, (S.) A bill to amend an act entitled "an act to exempt from forced sale on final process the property therein named, approved Aug. 10th 1848;"

Would respectfully

REPORT

That in the opinion of the majority of your committee it is not advisable at the present session to alter or amend said law.

MILO KELSEY, Ch'n. of said Com.

The undersigned minority of your committee respectfully differing from the majority of said committee, would

REPORT:

That some amendment is called for by a large majority of the inhabitants in this state, and to effect that object herewith report a substitute for said bill,

MILO KELSEY.

The speaker laid before the assembly the following communications from his excellency the governor, to wit:

EXECUTIVE DEPARTMENT,
Madison, March 2, 1849.

To the Assembly:

I have this day signed and deposited in the office of the secretary of state, acts of the following titles, to wit:

An act in relation to towns and town officers;

An act to appropriate to David Holt, Jr., the sum therein named;

An act to audit the claims of Racine county;

An act to organize the town of New Holstein in Calumet county.

NELSON DEWEY.

To the Assembly:

Acts of the following titles, to wit:

An act to incorporate the Wisconsin Bridge Company;

An act to prevent the obstructions of the Wisconsin river and its tributary streams;

An act to organize the several towns therein named.

Have this day been approved and signed by me, and deposited in the office of the secretary of state.

NELSON DEWEY.

Mr. Cross by leave, introduced

No. 115, (A.) A bill to incorporate the Free Congregational Church of the city of Milwaukee;

Which was read first and second times.

The speaker announced as the select committee to whom was referred

No. 61, (A.) A bill for an act to create a laborer's lien;

Messrs. Bowron, Alden, Hastings, Sugden and Wells.

On motion of Mr. W. H. Johnson,

The assembly adjourned.

SATURDAY, March 3d, 1849.

Prayer by the Rev. Mr. Read.

Mr. Bird was excused from his attendence for this day.

No. 95, (S.) A bill to provide for the collection of demands against boats and vessels,

Was read the third time, passed and the title thereof agreed to.

Mr. Strong, from the committee on compiling the laws, reported

No. 116. (A.) A bill in relation to homicide;

No. 117, (A.) A bill in relation to crimes and the punishment thereof; and

No. 118 (A.) A bill in relation to the time for holding the several circuit courts of the state of Wisconsin,

Which were read the first and second times.

Mr. Strong moved that said bills, No. 116 and 118, (A.) be ordered to be printed;

Which was agreed to.

Mr. Strong moved that said bill, No. 117, (A.) be laid upon the table,

Which was agreed to.

Mr. Colley, from the committee on charitable and religious societies, to whom the same had been referred reported back to the assembly

No. 85, (S.) A bill in relation to strays;

Without amendment,

Recommending the passage thereof.

Mr, Roys moved that said bill be referred to the committee of the whole;

Which was agreed to.

Mr. Roys, from the committee on town and county organization, reported

No. 119, (A.) A bill to change the name of the village of Harazthy in Sauk county;

No. 120, (A.) A bill to organize the town of Chili, in the conty of Fond du Lac; and

No. 121, (A.) A bill to divide the town of Dane, Dane county;

Which were severally read the first and second times.

Mr. Allen introduced the following resolution, which was adopted, to wit:

Resolved, by the senate and assembly, That the use of the supreme court room be granted to the members of the 1001 fraternity on the afternoon of Monday next.

Under the rule,

The assembly resolved itself into committee of the whole for the consideration of the general file, special bills,

Mr. Barber in the chair.

And after some time spent therein the committee rose, and by their chairman reported back to the assembly

No. 103, (A.) A bill relating to limited partnerships;

Without amendments.

The question being on ordering said bill to be engrossed and read the third time,

Mr. Crawford moved that said bill be laid upon the table;

And the question on the adoption of said motion

Having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Chase, Pierce, Rockwell, and Wells,—4.

Those who voted in the negative were

Messrs. Alden, Ayers, Barber, Bowron, Briggs, Burns, Colwell, Colley, Clark, Crawford, Cross, Daugherty, Delaney, Dick, Fagan, Flynn, Gillilan, Hastings Hazard, Hill, W. H. Johnson, Solon Johnson, Juneau, Kelsey, Kerr, Keuhn, Kimball, Leland, Lown, Martin, Noble, O'Neal, Parkinson, Phelps, Pike, Pratt, Reymert, Rickerson Roys, Strong, Sugden, Thomas, Thorp, Toland, Townsend, Turck, Warren, Wasson, White, Willard, Young and Hobart, (speaker,)—53.

Mr. Delany moved to amend said bill by striking out the enacting clause:

And the question on the adoption thereof,

Having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Ayers, Burns, Chase, Delaney, Flynn, Gillilan, Hazard, Hill, Kelsey, Parkinson, Phelps, Pierce, Pike, Rickerson, Rockwell, Sugden, Thomas, Thorp, Wasson, Wells, and Hobart, (speaker.)—21.

Those who voted in the negative were

Messrs. Alden, Barber, Bowron, Briggs, Brown, Colwell, Colley, Clark, Crawford, Cross, Daugherty, Dick, Fagan, Hastings, W. H. Johnson, Solon Johnson, Juneau, Kerr, Keuhn, Kimball, Leland, Lown, Martin, Noble, O'Neil, Pratt, Reymert, Roys, Strong, Toland, Townsend, Turck, Warren, White, Willard and Young,—35.

Mr. Reymert, from the majority of the select committee to whom was referred

No. 67, (S.) A bill to provide for the final settlement with the Milwaukee and Rock River Canal Company,

Submitted a report, which was accepted.

Mr. Burns moved that said report be laid on the table and ordered printed;

Which was agreed to.

Mr. Alden presenled

The remenstrance of W. W. Treadway, and others against the location of a states' prison;

Which, on motion of Mr. Rockwell, was laid upon the table and ordered to be printed.

Mr. Chase introduced the following resolution, which was adopted, to wit:

Resolved, That the use of the assembly room be granted to the methodist society of this place on Sunday, March 4th, 1849, for the purpose of holding a quarterly meeting.

Mr. Allen introduced the following resolution, to wit:

Resolved, that the presiding elder who is to preach here tomorrow will not preach any sectarian doctrine, and that he will not take up a collection here on the Sabbath.

Mr. Kelsey moved that said resolution be laid upon the table;

Which was agreed to.

Mr. W. H. Johnson, from the committee of conference on the disagreeing vote of the two houses on

No. 37, (A.) A bill to authorize the construction of a dam across Rock River,

Submitted the following report;

The committee of conference on the disagreeing vote of the two houses on the amendment to the bill "to authorize the construction of a dam across Rock River," respectfully

REPORT:

That they recommend that the assembly concur in said amendment.

JOHN B. SMITH,
A. BOTKIN,
of the senate.
W. H. JOHNSON,
STODDARD H. MARTIN,
of the assembly.

Mr. Reymert, by leave, introduced

No. 122, (A.) A bill submitting the question of the extension of the right of suffrage to a vote of the people;

Which was read the first and second times.

Mr. W. H. Johnson presented

A petition on the subject of the homestead exemption.

Which was referred to the committee to whom had been referred that part of the governor's message in relation to that subject.

Mr. Turck by leave, introduced

No. 123, (A.) A bill to provide for building a bridge across the Milwaukee river on the county line dividing Milwaukee and Washington.

Which was read the first and second times; and

On motion of Mr. Turck.

Referred to a select committee of two from each of the counties of Milwaukee and Washington,

The speaker announced as said committee Messrs. W ason Martin, Fagan and Turck,

Mr. Kerr, from the committee on enrolled bills, submitted the following report:

The committee on enrolled bills, report that they have examined

No. 24, (A.) A bill to extend the boundaries of the county of Marquette;

No. 78, (A.) A bill to authorize the treasurer of the town of Belgium in the county of Washington, to receive certain monies;

No. 87, (A.) A bill to vacate a part of Monroe street in the village of Monroe;

No. 4, (A,) A memorial to congress for a grant of land to aid in the construction of a rail road from the Falls of St. Croix to Lake Superior;

No. 42, (A.) A bill to change the boundary of the towns of Jefferson and Koshkonong, in the county of Jefferson;

And find them correctly enrolled.

The said bills were thereupon signed by the speaker and transmitted to the senate.

On motion of Mr. Daugherty,

The assembly adjourned until half past two, P. M.

HALF PAST TWO O'CLOCK, P. M.

Mr. Hill introduced the following resolution, to wit;

Resolved, That an invitation be given to the Rev. Mr. Farrance, catholic priest of Shullsburg, to preach in this hall at 2 o'clock, P. M., on Sunday, the 18th day of this month.

Mr. Burns moved that said resolution be laid upon the table;

Which was agreed to.

Mr. Barber, by leave, introduced

No. 124, (A.) A bill to appoint commissioners to lay out a road, and for other purposes;

Which was read the first and second times,

Mr. Kerr, from the committee on enrolled bills, submitted the following report:

The committee on enrollled bills report that they did on yesterday present to his excellency the governor for his approval

An act to appropriate to David Holt, Jr, the sum therein named;

An act to audit the claims of Racine county; and

An act to organize the town of New Holstein in the county of Calumet.

Mr. Burns, from the committee on education and school lands, reported

No. 125, (A.) A bill to legalize the proceedings of a school meeting held in school district No. 1, in the town of Waterloo, Jefferson county;

Which was read the first and second times.

A message from the senate by their chief clerk:

MR. SPEAKER:

I am directed to inform you that the senate has passed the following resolution:

Resolved, by the senate and assembly, That the use of the supreme court room be granted to the members of the 1001 fraternity on the afternoon of Monday next,

Withont amendmet.

And has adopted the following resolution:

Resolved, by the senate and assembly, That the secretary of state is hereby directed to procure and place in the possession of the secretary of the state historical society of Wisconsin a complete set of the official documents of the late territory as well as the state of Wisconsin,

With an amendment.

In which the concurrence of the assembly is requested; also,

Has concurred in the following resolution;

Resolved, by the senate and assembly, That the person appointed to take charge of the capilol and other state property be and he is hereby authorized topermit any religious denominations to hold public worship in the supreme court room in the capitol under whatsoever rules and regulations he may deem best for the preservation of the room and furniture during the coming season.

In which the concurrence of the assembly is requested

And has passed

No. 74, (A.) A bill to consolidate and amend an "act entitled an act to incorporate Carroll College," approved January 31, 1846, and an act amendatory thereto, approved January 25, 1847; and

No. 89 (A.) A bill for extending the boundaries of the county of Winnebago,

Without amendment. And

Has adopted the report of the committee of conference on the disagreeing vote of the two houses on the amendment of the senate to bill

No. 37, (A.) A bill to authorize the construction of a dam across Rock river, and

Has adopted the report of the committee of conference on the disagreeing vote of the two houses on the amendments of assembly to

No. 32, S. A bill relating to common schools;

Messages from the senate were then taken up.

No. 96, (S.) A bill for an act to authorize the board of supervisors of Dane county to borrow money to build a court house and to purchase a site for the same;

Was read the first and second times,

The amendment of the senate to

No. 67, (A.) A bill in relation to the boundaries of the counties of Adams, Columbia, Chippewa, Sauk, La Pointe, and St. Croix;

Was concurred in.

The amendment of the senate to

Resolution relative to furnishing documents to the state historical society,

Was concurred in.

And the question being on concurring in

Resolution in relation to the use and occupation of the supreme court room,

Mr. Clark moved to amend by striking out the words resolved by the senate and assembly, and insert

The person who shall have the charge of the public property is hereby instructed not to suffer any person or persons to use any of the rooms in the capitol for any other purpose than that for which it was intended, during the vacation of the legislature;

Mr. Kelsey called for a division of the question,

The question was decided by the speaker to be divisible.

And the qnestion being first on striking out,

Having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Bowron, Chase, Clark, Cross, Delaney, Flynn, Hill, W. H. Johnson, Keuhn, O'Niel, Pierce, Reymert, Rickerson, Rockwell, Roys, Strong, Sugden, Thomas, and Toland—19.

Those who voted in the negative were

Messrs. Alden, Ayres, Barber, Briggs, Brown, Burns, Colwell, Colley, Crawford, Daugherty, Dick, Fagan, Gillilan, Hastings, Hazard, Juneau, Kelsey, Kerr, Kimball, Leland, Lown, Martin, Noble, Parkinson, Phelps, Pike, Pratt, Thorp, Townsend, Turck, Warren, Wasson, Wells, White, Willard Young, and Hobart, (speaker,)—37.

Mr. Delaney moved that the further consideration of said resolutin be indefinitely postponed;

And the question on the adoption of said motion

Having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Ayers, Bowron,. Chase, Clark, Cross, Delaney, Flynn, Hill, W. H. Johnson, Keuhn, O'Neil, Pierce, Reymert, Rickerson, Rockwell, Roys, Strong, Sugden, Thomas, and Toland,—20.

Those who voted in the negative, were

Messrs. Alden, Barber, Briggs, Brown, Burns, Colwell, Colley, Crawford, Daugherty, Dick, Fagan, Gillilan, Hastings, Hazard, Juneau, Kelsey, Kerr, Kimball, Leland, Lown, Meade, Noble, Parkinson, Phelps, Pike, Pratt, Thorp, Townsend, Turck, Warren, Wasson, Wells, White, Willard, Young, and Hobart, (speaker)—36.

Mr. White moved the previous question,

Which was seconded.

And the question shall the main question be now put?

Having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Alden, Ayers, Barber, Briggs, Brown, Burns, Colwell, Colley, Crawford, Daugherty, Dick, Fagan, Gillilan, Hastings, Hazard, Juneau, Kelsey, Kerr, Kimball, Leland, Lown, Martin, Noble, O'Neil, Parkinson, Phelps, Pike, Pratt, Strong, Thorp, Townsend, Warren, Wasson, Wells, White, Willard, Young, and Hobart, (speaker.)—38.

Those who voted in the negative were—

Messrs. Bowron, Chase; Clark, Cross, Delaney, Flynn, Hill, W. H. Johnson, Solon Johnson, Keuhn, Meade, Pierce, Reymert, Rickerson, Rockwell, Roys, Sugden, Thomas, Toland, and Turck.—20.

And the main question on the adoption of the resolution,

Having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Alden, Ayres, Barber, Briggs, Brown, Burns, Colwell, Colley, Crawford, Cross, Daugherty, Dick, Fagan, Gillilan, Hastings, Hazard, W. H. Johnson, Solon Johnson, Juneau, Kelsey, Kerr, Kimball, Leland, Lown, Martin, Meade, Noble, Parkinson, Phelps, Pike, Pratt, Thorp, Toland, Turck, Warren, Wasson, Wells, White, Willard and Young,—40.

Those who voted in the negative, were

Messrs. Bowron, Chase, Clark, Delaney, Flynn, Hill, Keuhn, O'Neil, Pierce, Reymert, Rickerson, Rockwell, Roys, Strong, Sugden, Thomas, Townsend, and Hobart, (speaker.)—18.

Mr. Cross moved that the vote by which the assembly adopted said resolution be reconsidered;

And the question being on the adoption of said motion,

Having been put,

Mr. Clark moved that the motion to reconsider be laid upon the table;

Which was agreed to.

Mr. Hobort moved that the chief clerk be directed to inform the senate that seats have been prepared for them in the assembly hall and that the assembly are now ready to meet them in joint convention for the purpose of electing one register of the state land office, and one treasurer of the board of public works;

Which was agreed to.

The honorable senate was then announced, and the honorable senators having taken their seats,

IN JOINT CONVENTION OF THE TWO HOUSES.

March 3d, 3 o'clock, P. M.

Mr. Cothren moved that the convention proceed to elect viva voce, a register of the state land office;

Which was agreed to.

And the roll of the senate having been called,
Mr. Boyd voted for Walter H. Besley.
Mr. Chase voted for Jedediah Brown.
Mr. Cothren voted for Walter H. Besley.
Mr. Dennis voted for Walter H. Besley.
Mr. Fisher voted for Walter H. Besley.
Mr. Gardner voted for Jedediah Brown.
Mr. Horn voted for Jedediah Brown.
Mr. Kinney voted for Jedediah Brown.
Mr. Murphy voted for Jedediah Brown.
Mr. Norton voted for Henry Merrill.
Mr. Sholes voted for Jedediah Brown.
Mr. Smith voted for Walter H. Besley.
Mr. Williams voted for Walter H. Besley.
And the roll of the assembly having been called,
Mr. Alden voted for Walter H. Besley.
Mr. Ayres voted for Jedediah Brown.
Mr. Barber voted for Walter H. Besley.
Mr. Bowron voted for Jedediah Brown.
Mr. Briggs voted for Jedediah Brown.
Mr. Burns voted for Jedediah Brown.
Mr. Chase voted for Jedediah Brown.
Mr. Colwell voted for Jedediah Brown.
Mr. Colley voted for Jedediah Brown.
Mr. Clark voted for Walter H. Besley.
Mr. Crawford voted for Jedediah Brown.
Mr. Cross voted for Walter H. Besley.
Mr. Daugherty voted for Jedediah Brown.
Mr. Delaney voted for Jedediah Brown.
Mr. Dick voted for Jedediah Brown.
Mr. Fagan voted for Jedediah Brown.
Mr. Flynn voted for Jedediah Brown.
Mr. Gillilan voted for Jedediah Brown.
Mr. Hastings voted for Jediahed Brown.
Mr. Hazard voted for Jedediah Brown,

Mr. Hill voted for Jedediah Brown.
Mr. W. H Johnson voted for Walter H. Besley.
Mr. Solon Johnson voted for Walter H. Besley.
Mr. Juneau voted for Walter H. Besley.
Mr. Kelsey voted for Jedediah Brown.
Mr. Kerr voted for Jedediah Brown.
Mr. Keuhn voted for Jedediah Brown.
Mr. Kimball voted for Walter H. Besley.
Mr. Leland voted for Jedediah Brown.
Mr. Lown voted for Jedediah Brown.
Mr. Martin voted for Jedediah Brown.
Mr. Meade voted for Walter H. Besley.
Mr. Noble voted for Jedediah Brown.
Mr. O'Neill voted for Jedediah Brown.
Mr. Parkinson voted for Jedediah Brown.
Mr. Phelps voted for Jedediah Brown.
Mr. Pierce voted for Jedediah Brown.
Mr Pike voted for Henry Merrill.
Mr. Pratt voted for Jedediah Brown.
Mr. Reymert voted for Jedediah Brown.
Mr. Rickerson voted for Jedediah Brown.
Mr. Rockwell voted for Walter H. Besley.
Mr. Roys voted for Jedediah Brown.
Mr. Strong voted for Jedediah Brown.
Mr. Sugden voted for Jedediah Brown.
Mr. Thomas voted for Walter H. Besley.
Mr. Thorp voted for Jedediah Brown.
Mr. Toland voted for Jedediah Brown.
Mr. Townsend voted for Jedediah Brown.
Mr. Turck voted for Jedediah Brown.
Mr. Warren voted for Jedediah Brown.
Mr. Wason voted for Jedediah Brown.
Mr. Wells voted for Walter H Besley.
Mr. White voted for Solon Johnson.
Mr. Willard voted for Jedediah Brown.
Mr. Young voted for Jedediah Brown.
Mr. Hobart, (speaker,) voted for Jedediah Brown.
Whole number of votes given. 70
Neceessary to a choice, 36, of which
Jedediah Brown received 49

Walter H. Besley	received	18
Henry Merrill	"	2
Solon Johnson	"	1

Jedediah Brown, having received a majority of all the votes given for that office, was declared duly elected register of the state land office.

Mr. Warren Chase moved that the convention proceed to elect, viva voce, a treasurer of the board of public works.

Which was agreed to.

And the roll of the senate having been called,

Mr. Boyd voted for Joseph Jackson.
Mr. Chase voted for Joseph Jackson.
Mr. Cothren voted for Henry B. Welch.
Mr. Dennis voted for Burr S. Craft.
Mr. Fisher voted for Joseph Jackson.
Mr. Gardner voted for Joseph Jackson.
Mr. Horn voted for Henry B. Welch.
Mr. Kinney voted for Joseph Jackson.
Mr. Murphy voted for Henry B. Welch.
Mr. Norton voted for Joseph Jackson.
Mr. Sholes voted for Joseph Jackson.
Mr. Smith voted for Burr S. Craft.
Mr. Williams voted for Burr S. Craft.

And the roll of the assembly having been called,

Mr. Alden voted for Burr S. Craft.
Mr. Ayers voted for Joseph Jackson.
Mr. Barber voted for Burr S. Craft.
Mr. Bowron voted for Joseph Jackson.
Mr. Briggs voted for Joseph Jackson.
Mr. Burns voted for Joseph Jackson.
Mr. Chase voted for Joseph Jackson.
Mr. Colwell voted for Joseph Jackson.
Mr. Colley voted for Joseph Jackson.
Mr. Clark voted for Henry B. Welch.
Mr. Crawford voted for Joseph Jackson.
Mr. Cross voted for Walter H. Besley.
Mr. Daugherty voted for Joseph Jackson.
Mr. Delaney voted for Joseph Jachson.
Mr. Dick voted for Joseph Jackson.
Mr. Fagan voted for Burr S. Craft.
Mr. Flynn voted for Joseph Jackson.

Mr. Gillilan voted for Joseph Jackson.
Mr. Hastings voted for Joseph Jackson.
Mr. Hazard voted for Joseph Jackson.
Mr. Hill voted for Joseph Jackson.
Mr. W. H. Johnson voted for Walter H. Besley.
Mr. Solon Johnson voted for Joseph Jackson.
Mr. Juneau voted for C. Latham Sholes.
Mr. Kelsey voted for Joseph Jackson.
Mr. Keuhn voted for Burr S. Craft.
Mr. Kimball voted for Burr S. Craft.
Mr. Leland voted for Joseph Jackson.
Mr. Lown voted for Joseph Jackson.
Mr. Martin voted for Joseph Jackson.
Mr. Meade voted for Joseph Jackson.
Mr. Noble voted for Joseph Jackson.
Mr. O'Neill voted for Joseph Jackson.
Mr. Parkinson voted for Joseph Jackson.
Mr. Phelps voted for Joseph Jackson.
Mr. Pierce voted for Peter Turck.
Mr. Pike voted for William W. Brown.
Mr. Pratt voted for Joseph Jackson.
Mr. Reymert voted for Joseph Jackson.
Mr. Rickerson voted for Joseph Jackson.
Mr. Rockwell voted for Joseph Jackson.
Mr. Roys voted for Felix W. McLinden.
Mr. Strong voted for Joseph Jackson.
Mr. Sugden voted for Joseph Jackson.
Mr. Thomas voted for Burr S. Craft.
Mr. Thorp voted for Joseph Jackson.
Mr. Toland voted for Burr S. Craft.
Mr. Townsend voted for Joseph Jackson.
Mr. Turk voted for Joseph Jackson.
Mr. Warren voted for Joseph Jackson,
Mr. Wason voted for Joseph Jackson.
Mr. Wells voted for Julius Patricius Bolivar McCabe.
Mr. White voted for Burr S. Craft.
Mr. Willard voted for Joseph Jackson.
Mr. Young voted for Joseph Jackson.
Mr. Hobart, speaker, voted for Joseph Jackson.

Whole number of votes cast for treasurer, 66

Necessary to a choice, 35, of which

Joseph Jackson	received	46
Burr S. Craft	"	12
Henry B. Welch	"	4
Walter H. Besley	"	2
C. Latham Sholes	"	1
Peter Turck	"	1
Wm. W. Brown	"	1
Felix Mc Linden	"	1
Julius Patricius Bolivar McCabe	rec'd	1

Joseph Jackson, having received a majority of all the votes given for that office was declared duly elected treasurer of the board of public works.

On motion of Mr. Cothren,

The convention dissolved.

On motion of Mr. Cothren,

The assembly adjourned.

MONDAY, March 5th, 1849.

Prayer by the Rev. Mr. Lord.

The pending question being on ordering the said bill

No. 103, (A.) A bill in relation to limited partnerships;

To be engrossed and read the third time,

Mr. Delaney moved to amend said bill, by striking out the word "not" in the fourth line of section second, and by striking out all after the word "partnership" in the fourth line, and insert in lieu thereof the words "in the same manner as general partners."

And the question on the adoption of said amendment

Having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Ayres, Burns, Chase, Delaney, Fagan, Flynn, Gillilan, Hill, Kelsey, Keuhn, Noble, O'Neal, Parkinson, Phelps, Pierce, Pike, Reymert, Rickerson, Sugden, Thorp, Toland, Warren, Wasson, Wells, and Hobart, (speaker,)—25.

Those who voted in the negative, were

Messrs. Alden, Barber, Bowron, Briggs, Colwell, Colley, Clark, Crandall, Crawford, Hastings, W. H. Johnson, Solon Johnson, Juneau Kerr, King, Leland, Lown, Martin, Pope, Pratt, Rockwell, Turck, White, Willard, and Young—25.

Mr. Solon Johnson moved that the vote by which the amendment proposed by Mr. Delaney, was rejected, be re-considered.

And the question on re-consideration

Having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Ayers, Bird, Brown, Burns, Chase, Clark, Daugherty, Delaney, Dick, Fagan, Flynn, Gillilan, Hazard, Hill, Solon Johnson, Juneau, Kelsey, Keuhn, Noble, O'Niel, Parkinson, Phelps, Pierce, Pike, Reymert, Rickerson, Roys, Sugden, Thomas, Thorp, Toland, Turck, Warren, Wasson, Wells, and Hobart, (speaker)—36.

Those who voted in the negative, were

Messrs. Alden, Barber, Bowron, Briggs, Colwell, Colley, Crandall, Crawford, Cross, Hastings, W. H. Johnson, Kerr, King, Leland, Lown, Martin, Pope, Pratt, Rockwell, Strong, Townsend, White, Willard, and Young—25.

And the question recurring on the adoption of the amendment,

Having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Ayers, Brown, Burns, Chase, Daugherty, Delaney, Fagan, Flynn, Gillilan, Hazard, Hill, Solon Johnson, Kelsey, Keuhn, Noble, O'Neal, Parkinson, Phelps, Pierce, Pike, Reymert, Rockwell, Roys, Sugden, Thomas, Thorp, Toland, Turck, Warren, Wasson, Wells, and Hobart, (speaker,)—33.

Those who voted in the negative, were

Messrs. Alden, Barber, Bird, Bowron, Briggs, Colwell, Colley, Clark, Crandall, Crawford, Cross, Dick, Har

H. Johnson, Juneau, Kerr, King, Leland, Lown, Martin, Meade, Pope, Pratt, Strong, Townsend, White, Willard and Young. —28.

Mr. Delaney moved that the further consideration of said bill be indefinitely postponed;

Which was agreed to.

A message from the senate by their chief clerk:

Mr. Speaker:

I am directed to inform you that the senate has passed

No. 25, (S.) A bill to amend an act entitled an act to incorporate the city of Milwaukee, and acts amendatory thereto;

In which the concurrence of the assembly is requested.

Mr. Alden introduced the following resolution:

Resolved, That the use of the assembly hall be and is hereby granted (this afternoon) to the ancient benevolent, and highly honorable order 1001.

And the question on the adoption thereof

Having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Alden, Ayers, Barber, Bird, Briggs, Brown, Chase, Colwell, Clark, Daugherty, Fagan, Flynn, Hazard, W. H, Johnson, Solon Johnson, Juneau, Kelsey, Kerr, Keuhn, King, Martin, Meade, Noble, Parkinson, Phelps, Rickerson, Strong, Thomas, Thorp, Toland, Townsend, Turck, Warren, Wasson, Wells, White Young and Hobart, (speaker,)—38.

Those who voted in the negative, were

Messrs Bowron, Burns, Colley, Crandall, Crawford, Delaney, Dick, Gillilan, Hastings, Hill, Leland, Lown, O'Neil, Pierce, Pike, Pope, Pratt, Reymert, Rockwell, Roys, Sugden, and Willard,—21.

Mr. Burns, from the committee of conference on the disagreeing vote of the two houses, on

No. 32, (S.) A bill relating to common schools;

Submitted the following report, which was accepted, to wit:

The committee of conference appointed on the part of the assembly to confer with a similar committee on the part of the senate on the disagreeing vote of the two houses, on

No. 32, (S.) A bill relating to common schools ;
Would unanimously

REPORT:

That your committee are still firmly impressed with the importance of engrafting as a provision to the said bill, the principle contained in the sections to said bill establishing central schools in each and every town which may by a vote desire their establishment. Yet your committee holding the views as above expressed are equally unanimous in the opinion that no amendment to said bill setting forth that principle would be at all acceptable to the honorable, the senate, and if contained in said bill might jeopardice its passage ; would unanimously recommend that the assembly recede from its vote on the amendments embodying the principle of establishing central schools.

Mr. Strong moved

That the members of the committee on the completion of the laws be excused from their attendance during the session of the assembly until the 15th day of March, inst. ;

Which was agreed to.

On motion of Mr. Hastings,

The assembly adjourned.

TUESDAY, March 6th, 1849

Prayer by the Rev. Mr. Read.

The pending question being on concurring in the amendments of the committee of the whole to

No. 85, (S.) A bill in relation to strays ;

Having been put,

It was decided in the affirmative.

The said bill was then ordered to be read the third time.

Mr. White moved that

No. 86, (S.) A bill in relation to the disposition of unclaimed property,

Be taken from the table;

Which was agreed to.

And the question being on ordering said bill to be read the third time,

Mr. White moved to amend said bill, by adding to the 13th section, as follows:

Provided, That any property in a state of decay or that is manifestly liable immediately to become decayed, may be summarily sold by order of a justice of the peace, after inspection thereof, as provided in section sixth of this act.

And the question on the adoption thereof,

Having been put,

It was decided in the affirmative.

The said bill was then ordered to be read the third time.

Leave of absence was granted for one week to Mr. Brown.

Mr. Colley moved that

No. 76 (A.) A bill in relation for the assessment and collection of taxes;

Be taken from the table;

Which was agreed to.

And the pending question being on the adoption of the amendment offered by Mr. Delaney, which was,

Strike out the words after deducting just debts as provided by law, in the second line of the fifth specification of section seventeen,

Having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Briggs, Burns, Chase, Colley, Crandall, Delaney, Dick, Fagan, Flynn, Gillilan, Hazard, Hill, Keuhn, Meade, O'Neal, Parkinson, Pierce, Pike, Pope, Rickerson Rockwell, Thorp, Toland, Turck, Warren, Wasson, Wells, Willard, and Hobart, (speaker,)—29.

Those who voted in the negative were

Messrs. Ayers, Barber, Bowron, Colwell, Clark, Crawford, Daugherty, Hastings, W. H. Johnson Kelsey, Kerr, King, Leland, Lown, Martin, Noble, Phelps, Pratt, Reymert, Townsend, White, and Young,—22.

Mr. Barber moved to

Amend section 17, by striking out the 4th and 5th subdivisions and insert the following:

4th. The full cash value of each parcel of land taxed, deducting therefrom the amount owing for each parcel of land to citizens resident of this state.

5th. The full cash value of all taxable personal property owned by or to be taxed to such person, deducting therefrom all debts owing by such person to citizens residents of this state contracted for any other object than the purchase of real estate.

Sec. 18. Whenever any person claiming a deduction from the valuation of his real or personal property subject to taxation as provided in the preceeding section, such person shall make affidavit before the assessor, who is hereby authorized to administer the proper oath or affirmation for that purpose, in which he shall state the amount owing for any parcel of land, or for any other purpose for which he claims such deduction stating to whom the same is owing and the residence of such creditor. And the assessor shall take duplicate affidavits one of which he shall immediately transmit to the assessor of the town wherein such person to whom such debts so owing resides, and the other shall be filed in his office, and if any person claiming any deduction from the assessed valuation of his personal or real estate shall refuse to make such duplicate affidavits as herein provided, no deduction shall be made by the assessor in the valuation of his property on account of his debt.

Sec. 19. Whenever the assessor of any town in this state shall receive the affidavit of any debtor of the amount due to such person residing in his town he shall assess the same to such person as personal estate.

Sec. 20. No debts due or owing to persons not residents of this state shall in any case be deducted from the valuation of property liable to taxation within this state.

And the question on the adoption thereof,

Having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Ayers, Barber, Bird, Colwell, Daugherty, Hastings, W. H. Johnson, Solon Johnson, Kelsey, King, Lown, Noble, Phelps, Pike, Pope, Pratt, Roys, Townsend, Turck, Warren, and Young—21.

Those who voted in the negative, were

Messrs. Bowron, Burns, Chase, Colley, Clark, Crandall, Crawford, Delaney, Dick, Fagan, Flynn, Gillilan, Hazard, Hill, Kerr, Kuehn. Leland, Meade, O'Neill, Parkinson, Pierce, Reymert, Rickerson, Thorp, Toland, Wasson, Wells, Willard, and Hobart, (speaker.)—29.

Mr. Delaney moved to amend by striking out the 5th line in section 19 the words, "after deducting therefrom the just debts due from him."

And the question on the adoption thereof,

Having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Ayres, Barber, Bowron, Burns, Chase, Colwell, Colley, Crandall, Delaney, Dick, Fagan, Flynn, Gillilan, Hazard, Hill, W. H. Johnson, Solon Johnson, Kuehn, King, Leland, Meade, O'Neil, Parkinson, Pierce, Reymert, Rickerson, Thorp, Toland, Turck, Warren, Wasson, Wells, Willard, and Hobart, (speaker,)—34.

Those who voted in the negative, were

Messrs. Bird, Clark, Crawford, Daugherty, Hastings, Kelsey, Kerr, Lown, Noble, Phelps, Pike, Pope. Pratt, Roys, Townsend. White, and Young,—17.

Mr. Daugherty moved to amend section third, by striking out in 4th line of said section all between the words debtor and the word all.

And the question on the adoption thereof

Having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Ayres, Colwell, Clark, Crawford, Daugherty, Fagan, Hastings, Hill, W. H. Johnson, Kelsey, Kerr, Leland, Lown, Martin, Meade, Noble, O'Neil, Phelps, Pike, Pope, Pratt, Thorp, and Young,—23.

Those who voted in the negative, were

Messrs. Bird, Bowron, Briggs, Burns, Chase, Colley, Crandall, Delaney, Dick, Flynn, Gillilan, Hazard, Kuehn, King, Parkinson, Pierce, Reymert, Rickerson, Toland, Townsend, Turck, Warren, Wasson, Wells, Willard, and Hobart, (speaker,)—26.

Mr. Delaney moved further to amend said bill, by striking out in the third line of section 26, the word "his just debts and."

And the question on the adoption thereof

Having been put,

It was decided in the affirmative.

Mr. Delaney moved further to amend said bill, by striking out in the 2nd and 3rd lines of section 27 the words, "the just debts due from him and."

And the question on the adoption thereof

Having been put

It was decided in the affirmative.

Mr. Delaney moved further to amend said bill, by striking out in the 8th and 9th lines of section 36 the words "over and above the amount of debts justly due from such persons respectively."

And the question on the adoption thereof

Having been put,

It was decided in the affirmative.

And the question on ordering said bill No. 76, (A.) to be engrossed and read the third time,

Having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Ayres, Bird, Bowron, Burns, Chase, Colley, Delaney, Dick, Fagan, Flynn, Gillilan, Hazard, Hill, Kuehn, King, O'Neil, Parkinson, Pierce, Pope, Reymert, Rickerson, Thorp, Toland, Townsend, Turck, Warren, Wasson, Wells, Willard and Hobart, (speaker.)—30.

Those who voted in the negative, were

Messrs. Briggs, Colwell, Clark, Crawford, Daugherty, Hastings, W. H. Johnson, Kelsey, Kerr, Leland, Lown, Martin, Meade, Noble, Phelps, Pike, Pratt, Roys, White, and Young, —20.

The report of the committee of conference on the disagreeing vote of the two houses, on

No. 32, S. A bill relating to common schools;

Was taken up.

And the question on its adoption

Having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Ayres, Barber, Bird, Burns, Chase, Colwell, Colley, Clark, Crandall, Dick, Fagan, Flynn, Gillilan, Hazard, Solon Johnson, Kerr, Keuhn, King, Leland, Martin, Meade, Noble, Pope, Reymert, Rickerson, Roys, Thorp, Townsend, Turck, Warren, Wasson, Wells, and Willard,—32.

Those who voted in the negative, were

Messrs. Bowron, Briggs, Crawford, Daugherty, Delaney, Hastings, Hill, Kelsey, Lown, O'Neil, Parkinson, Phelps, Pierce, Pike, Pratt, Toland, White, Young, and Hobart, (speaker,)—19.

Mr. Parkinson moved that bill

No. 93, (A.) A bill to authorize the electors of La Fayette county to vote on the removal of the county seat,

Be made the special order of business for this afternoon;

Which was agreed to.

Mr. Solon Johnson introduced the following resolution, which was adopted, to wit:

Resolved, That bill

No. 64, (S.) A bill to provide for the removal of the county seat of Washington county, and for the permanent location thereof;

Is hereby made the special order of business for this afternoon, March 6th, 1849.

Petitions were presented and referred as follows, to wit:

By Mr. King:

The petition of Eliphalet Baker and 17 others, of the county of Dodge, for a road and the appointment of commissioners to lay out the same.

By Mr. Pratt:

The petition of E. D. Smith and 21 others of the town of Spring Prairie, Walworth county, praying that the proceedings in establishing a certain road therein named may be legalized;

Referred to the committee on roads, bridges, and ferries.

By Mr. Bird:

The petition of Spearry Tinker and 2 others, praying for the setting off and organization of the town of Dewey;

Referred to the committee on town and county organization.

Mr. Clark, introduced

No. 127, (A.) A bill to amend an act entitled "an act to provide for the improvement of the Fox and Wisconsin rivers, and connecting the same by a canal, approved August 8th, 1848;

Which was read the first and second times.

And on motion of Mr. Clark,

Laid on the table and ordered printed.

Mr. Kerr, from the committee on enrolled bills, submitted the following report, to wit:

The committee on enrolled bills report that they have this day presented to his excellency the governor for his approval

An act to prescribe certain duties of the board of public works, and to amend an act entitled an act to provide for the improvement of the Fox and Wisconsin rivers and connecting the same by a canal, approved August 8th, 1848;

An act to vacate a part of Monroe street in the village of Monroe, in the county of Green;

Memorial to congress for a grant of land to aid in the construction of a rail road from the Falls of St. Croix to Lake Superior;

An act to change the boundary of the towns of Jefferson and Koshkonong in the county of Jefferson;

An act to authorize the treasurer of the town of Belgium in the county of Washington to receive certain money;

An act to extend the boundaries of the county of Marquette.

Mr. Townsend, by leave, introduced

No. 128, (A.) A bill to establish a state road from Neenah to Strong's Landing;

Which was read the first and second times.

Mr. O'Neil, from the committee to whom petition on that subject had been referred, submitted

No. 7, (A.) A memorial to the president of the United States asking that measures may be taken to prevent depredations by Indians;

Which was read first and second times. And

On motion of Mr. O'Neil laid on the table and ordered printed.

A message from the senate by their chief clerk:

MR. SPEAKER:

I am directed to inform you that the senate has passed

No. 101, (S.) A bill to provide for the publication of an act to amend the act entitled an act to establish the time of holding circuit courts;

In which the concurrence of the assembly is requested.

Messages from the senate were taken up.

No. 25, (S.) A bill to amend an act entitled an act to incorporate the city of Milwaukee, and acts amendatory thereto; and

No. 101, (S.) A bill to provide for the publication of an act to amend the act entitled an act to establish the time of holding circuit courts;

Which were severally read the first and second times.

Mr. White moved that the rules be suspended and that said bill No. 101, (S.) be read the third time now;

Which was agreed to.

The said bill No. 101, (S.) was read the third time, passed, and the title thereof agreed to.

On motion of Mr. White,

The assembly resolved itself into committee of the whole for the consideration of

No. 70 (S.) A bill to enable the city of Milwaukee to aid in the construction of a rail-road from that city to the Mississipp river; and

No. 28, (S.) A bill to amend an act entitled an act to exempt from forced sale on final process the property therein named

Mr. Hazard in the chair.

And after some time spent therein the committee rose and by their chairman reported the said bills back to the assembly

Without amendment.

Mr. White moved that the rules be suspended and that said bill No. 70, (S.) be read the third time now;

Which was agreed to.

The said bill was then read the third time, passed, and the title thereof agreed to.

And the question being on ordering said bill No. 28, (S.) to be read the third time,

Mr. Kelsey moved to amend the said bill by offering a substitute therefor.

Mr. Barber moved that said bill be laid on the table, and the substitute ordered to be printed;

Which was agreed to.

Mr. Turck, from the select committee to whom had been referred

No. 123, (A.) A bill to provide for building a bridge across the Milwaukee river on the county line dividing Milwaukee and Washington,

Submitted the following report, which was accepted, to wit:

MR. SPEAKER:

SIR: The undersigned select committee, to whom was referred No. 123, (A.) respectfully report in favor of the passage of the bill.

Mr. Chase moved that said bill No. 123, (A.) be laid upon the table;

Which was agreed to.

On motion of Mr. Wells,

The assembly resolved itself into committee of the whole for the consideration of

No. 116. (A.) A bill in relation to homicide;

Mr. Roys in the chair.

And after some time spent therein the committee rose, and by their chairman reported progress, and asked leave to sit again.

Leave was granted.

On motion of Mr. Reymert,

The assembly adjourned until half past two, P. M.

HALF PAST TWO O'CLOCK, P. M.

On motion of Mr. Hill,

The assembly resolved itself into committee of the whole for the consideration of

No. 38, (S.) A bill to establish the county seat of LaFayette county and for other purposes; and

No. 93, (A.) A bill to authorize the electors of La Fayette county to vote on the removal of the county seat.

Mr. Wasson in the chair.

And after some time spent therein the committee rose and by their chairman reported the said bills back to the assembly,

Without amendments.

The question being on ordering the said bill No. 38, (S.) to be read the third time,

Mr. Strong moved that the further consideration thereof be indefinitely postponed.

And the question on the adoption thereof,

Having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Alden, Bird, Chase, Colwell, Crandall, Crawford, Daugherty, Dick, Gillilan, Hastings, Solon Johnson, Kelsey, Kerr, King, Leland, Lown, Martin, Noble, Parkinson, Pierce, Pike, Pratt, Roys, Strong, Thorp, Turck, Warren, Wells, Willard, and Young,—30.

Those who voted in the negative, were

Messrs. Ayres, Barber, Bowron, Burns, Colley, Clark, Cross, Delaney, Fagan, Flynn, Hazard, Hill, W. H. Johnson, Kuehn, O'Neil, Phelps, Pope, Reymert, Rickerson, Toland, Townsend, Wasson, and Hobart, (speaker,)—23.

And the question being on ordering said bill No. 93, (A.) to be engrossed and read the third time,

Mr. Delaney moved that the further consideration thereof be indefinitely postponed.

And the question on the adoption thereof,

Having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Ayers, Bowron, Burns, Clark, Delaney, Fagan, Flynn, Hill, Kuehn, O'Neill, Pope, Reymert, Rickerson, Toland, Townsend, Wasson, and Hobart, (speaker.)—17.

Those who voted in the negative, were

Messrs. Alden, Barber, Bird, Chase, Colwell, Colley, Crandall, Dick, Gillilan, Hastings, Hazard, Solon Johnson, Kelsey, Kerr, King, Leland, Lown, Martin, Noble, Parkinson, Phelps, Pierce, Pike, Pratt, Roys, Strong, Thorp, Turck, Warren, Wells, Willard, and Young—32.

Mr. Delaney moved to amend said bill by adding the following, to wit:

Sec. —— The county commissioners or board of supervisors of La Fayette county shall immediately on being notified of the passage of this act, cease to expend any money on the erection of the county buildings or for other purpose at the centre of said county, or first county seat, or at Shullsburg.

Sec. —— It shall be the duty of the secretary of state to procure the publication of this act immediately after its passage in a newspaper, at Madison, and forward a copy of such paper containing said act to the board of commissioners of La Fayette county.

And the question on the adoption thereof,

Having been put,

It was decided in the negative.

Mr. Kerr, from the committee on enrolled bills, submitted the following report:

The committee on enrolled bills respectfully report, that they did on this day present to his excellency for his approval

An act to amend the act entitled "an act to establish the times of holding circuit courts;" and

An act to provide for the publication of an act to amend the act entitled "an act to establish the time of holding circuit courts."

The committee on enrolled bills report that they have examined

No. 67, (A.) A bill in relation to the boundaries of the counties of Columbia, Adams, Sauk, Chippewa, La Pointe, and St. Croix;

No. 37, (A.) A bill to authorize the construction of a dam across Rock River;

No. 89, (A.) A bill to extend the boundaries of the county of Winnebago.

No. 57, (A.) A bill to amend the act entitled "an act to establish the times of holding circuit courts;"

No, 101, (S.) A bill to provide for the publication of an act to establish the times of holding circuit courts;

And find them correctly enrolled.

The said bills were thereupon signed by the speaker and transmitted to the senate.

The question being on ordering

No. 64, (S.) A bill to provide for the removal of the county seat of Washington county, and for the permanent location thereof;

To be read the third time,

Mr. Phelps moved to amend the bill, by striking out the enacting clause.

Mr. Burns moved the previous question.

Which was demanded.

And the question, "shall the main question be now put?"

Having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Alden, Ayers, Barber, Briggs, Chase, Colwell, Colley, Crandall, Crawford, Dick, Flynn, Hazard, W. H. Johnson Solon Johnson, Kelsey, Kerr, King, O'Neal, Phelps, Pierce, Pope, Pratt, Reymert, Rockwell, Roys, Strong, Thomas, Townsend, Warren, Willard, and Young,—31.

Those who voted in the negative were

Messrs. Bird, Bowron, Burns, Clark, Daugherty, Delaney, Fagan, Gillilan, Hastings, Hill, Juneau, Keuhn, Leland, Lown, Martin, Parkinson, Pike, Rickerson, Thorp, Toland, Turck, Wasson, Wells, White, and Hobart, (speaker,)—25.

The question being on the amendment offered by Mr. Phelps

Having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Alden, Ayres, Bird, Briggs, Colwell, Colley, Crandall, Daugherty, Dick, Gillilan, Hastings, W. H. Johnson, Solon Johnson, Juneau, Kelsey, Kerr, King, Martin, O'Neil, Phelps, Pope, Pratt, Reymert, Rickerson, Roys, Strong, Thomas, Thorp, Townsend, Warren, Wells, White, Willard and Young,—33.

Those who voted in the negative, were

Messrs. Barber, Bowron, Burns, Chase, Clark, Crawford, Delaney, Fagan, Flynn, Hazard, Hill, Leland, Lown, Noble, Parkinson, Pierce, Pike, Rockwell, Toland, Turck, Wasson, Willard, and Hobart, (speaker.)—22.

Mr. Kelsey moved that the vote by which the enacting clause of said bill was stricken out be re-considered.

And the question being on the adoption thereof,

On motion of Mr. Toland,

The assembly adjourned.

WEDNESDAY, March 7th, 1849.

Prayer by the Rev. Mr. Lord.

Petitions were presented and severally referred, as follows:

By Mr. Barber:

The account of A. W. Campbell against the state.

By Mr. Cross:

The account of Cramer & Curtis for newspapers furnished the legislature during the present session; also

The account of King & Fuller for newspapers furnished the same; also

The account of Joel Rathbone for interest due on two canal loan bonds.

By Mr. Noble:

The account of Mr. Holt, Postmaster at Madison;

Which were severally referred to the committee on claims.

By Mr. Townsend:

Petition for the organization of the town of Taylor in Winnebago county.

By Mr. Nute:

The petition of Elbridge Gerry and others.

By Mr. Briggs:

Petition of P. Fitzgerald and others asking a vacation of an alley in the village of Lancaster;

Referred severally to the committee on town and county organization.

By Mr. Rockwell:

The petition of T. C. Dousman and 240 others to declare a certain road therein mentioned a lawful highway; and

Remonstrance of William E. McClure and 153 others against taking up certain roads therein named.

By Mr. Clark:

The petition of sundry inhabitants of the town of Dartford praying that certain allies may be vacated;

Referred severally to the committee on roads, bridges and ferries.

By Mr. Pratt:

Remonstrance of Hiram Medbury and 38 others on the subject of a state's prison:

Referred to the committee on state's prison.

By Mr. O'Neill:

The petition of sundry members of the most ancient and august order of O. A. M. A. of 1002, for the privilege of using the assembly hall, on the afternoon of the 17th of March next, vulgar calendar, to hold a grand conclave in solemn and mystic rites;

Referred to the committee on religious and charitable societies.

By Mr. Burns:

The petition of Alfred Palmer and 160 others citizens of Iowa county praying that the office of chaplain for the legislature may be abolished, and that no pay be granted to those persons who pray for the legislature;

Referred to the committee on legislative expenditures.

By Mr. Warren:

The petition of H. W. Fink and 94 others citizens of Dodge county, praying for the passage of bill No. 91, (S.)

Referred to the committee of the whole which has that bill under consideration.

By Mr. Kuehn:

The petition of F. Hallich and 52 others praying for the publication of the laws in the German language;

Referred to the committee on printing.

By Mr. Briggs:

The petition of Orris McCartney and five others asking to authorize Plum Grove district No. 3, in Cassville school town, to raise a tax;

Referred to the committee on education and school lands; also

The report of G. M. Price, C. A. Lagrave and E. H. Gleason, committee of the citizens of Cassville, on the subject of the termination of a rail road;

Referred to the delegation from the county of Grant.

By Mr. Hill:

The petition of sundry citizens of LaFayette county, in relation to a road on the south line of La Fayette county;

Referred to the committee on roads, bridges and ferries.

Mr. Daugherty, from the committee on engrossed bills, reported as correctly engrossed

No. 76 (A.) A bill providing for the assessment and collection of taxes.

Mr. Daugherty moved that the rules be suspended and the bill be passed now;

Which was agreed to.

The said bill No. 76, (A.) was then read the third time, passed, and the title thereof agreed to.

No. 85, (S.) A bill relating to strays; and

No. 86, (S.) A bill in relation to the disposition of unclaimed property,

Were severally read the third time, passed, and the titles thereof agreed to.

Mr. Kelsey, by leave, introduced

No. 129, (A.) A bill to amend an act entitled "an act to establish the times of holding circuit courts," approved August 19th, 1848;

Which was read the first and second times,

Mr. Kelsey moved that the rules be suspended and that said bill be read a third time now;

Which was agreed to.

The said bill was then read the third time, passed. and the title agreed to.

A message from the senate by their chief clerk:

Mr. Speaker:

I am directed to inform you that the senate has concurred in the passage of

No. 5, (A.) Memorial to congress for an appropriation of land to aid in the construction of a rail road from Milwaukee to the Mississippi river;

No. 46, (A.) A bill to appropriate to Daniel Noble Johnson the sum therein named; and

No. 58, (A.) A bill to restore the name and rights of the Prairieville Academy,

Without amendments; also

No. 45, (A.) A bill to appropriate to H. A. Tenney the sum therein named;

With amendments,

In which the concurrence of the assembly is requested.

And has passed

No. 97, (S.) A bill to change the name of the village of Milford in Green county,

In which the concurrence of the assembly is requested.

Mr. Delaney, from the committee on printing, to whom had been referred

No. 92, (A.) A bill to provide for the publication of the laws;

Submitted the following report, which was accepted, to wit:

The committee on printing, to whom was referred

No. 92, (A.) A bill to provide for the publication of the laws,

Have had the same under consideration and instruct me to

REPORT

That it would be desirable to have the laws, particularly those relating to towns and town officers and common schools, published in at least one newspaper in each county in the state, if the same could be done immediately, and that accuracy secured which is necessary in the publication of laws. By the bill referred to your committee, it is provided that the laws shall be published in some newspaper at Madison. This gives the Secretary of State an opportunity to examine and compare the laws so published with the originals on file in his office. If the laws are published in papers remote from Madison, no such examination and comparison could be had, and your committee believe great inaccuracy *might* result. Every error committed by the different printers *might* mislead some of those for whose benefit the publication was made. This could not be avoided by giving to every publication the force of the law, for this would be to make different laws, to place the law making power in the hands of proof readers in printing offices entirely independent of each other.

This is the only objection, in the opinion of your committee, to the publication of the laws in at least one newspaper in each county in the state.

Respectfully submitted,
JOHN DELANEY, *Ch'n.*

On motion of Mr. Martin,

The assembly resolved itself into committee of the whole for the consideration of

No. 25, (S.) A bill to amend an act to incorporate the city of Milwaukee and acts amendatory thereto; and

No. 110, (A.) A bill to authorize the construction of a wharf on the Milwaukee river;

Mr. Toland in the chair.

After some time spent therein the committee rose, and by their chairman, reported said bills back to the assembly without amendments.

The question being on ordering said bill No. 110, (A.) to be engrossed and read the third time,

Mr. White moved that the rules be suspended and that said bill be read a third time now;

Which was agreed to.

The said bill No. 110, (A.) was then read a third time, passed, and the title thereof agreed to.

And the question being on ordering said bill No. 25, (S.) to be read a third time,

Mr. Chase moved to amend said bill by striking out so much of section 3rd as extends the bounds on the south line.

And the question on the adoption thereof,

Having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Bird, Burns, Chase, Flynn, Hill, Keuhn, Noble, O'Neal, Parkinson, Rickerson, Roys, Thorp, Toland, Wasson, White, Young and Hobart, (speaker,)—17.

Those who voted in the negative, were

Messrs. Alden, Ayers, Barber, Bowron, Briggs, Colwell, Colley, Clark, Crandall, Cross, Dick, Fagan, Gillilan, Hastings, Hazard, W. H. Johnson, Solon Johnson, Juneau, Kelsey, King, Lown, Martin, Meade, Nute, Phelps, Pierce, Pike, Pope, Pratt, Reymert, Rockwell, Thomas, Townsend, Turck, Warren, Wells, and Willard—37.

Mr. Chase moved that said bill be laid upon the table;

Which was disagreed to.

Mr. Martin moved that the rules be suspended and that the said bill be read a third time and passed now;

Which was agreed to.

The said bill was then ordered to be read the third time.

A message from the senate by their chief clerk:

MR. SPEAKER:

I am directed to inform you that the senate has concurred in the 1st, 2nd, 3rd, 4th, 5th, 6th, 7th, 8th and 9th amendments of assembly to bill

No. 85, (S.) A bill in relation to strays;

And has non-concurred in the 10th amendment of assembly to said bill No. 85, (S.)

Mr. Wells moved that

No. 79, (S.) A bill to incoporate the village of Watertown,

Be taken from the table, and that the rules be suspended and said bill read the third time and passed now:

Which was agreed to.

Mr. Kelsey moved to amend said bill by striking out "section number twenty-five."

And the question on the adoption of said amendment,

Having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Crandall, Crawford, Daugherty, Dick, Fagan, Hastings, Kelsey, Kerr, Lown, Noble, Page, Pope, Pratt, Roys, Thorp, Toland, Wells, Willard, Young and Hobart, (speaker,) —20.

Those who voted in the negative were

Messrs. Alden, Ayres, Barber, Bird, Bowron, Briggs, Chase, Colwell, Clark, Flynn, Gillilan, W. H. Johnson, Solon Johnson, Juneau, Keuhn, King, Martin, Meade, Nute, O'Niel, Phelps, Pierce, Pike, Reymert, Rickerson, Rockwell, Townsend, Warren and White—29.

Mr. Crawford moved that said bill be laid upon the table;

Which was disagreed to.

The said bill was then read the third time, passed, and the title thereof agreed to.

On motion of Mr. Bird,

The assembly resolved itself into committee of the whole for the consideration of

No 84. (S.) A bill to appropriate to John T. Wilson, Seymour & Varney, Dean & Co., Timothy Robertson, James Helpin, H. A. Tenney, Henry C. Parker, and Thomas Dunn, the several sums therein named; and

No. 99, (A.) An act to prevent obstructions to Black river;

Mr. Noble in the chair.

And after some time spent therein the committee rose and by their chairman reported said bills back to the assembly without amendments.

The question being on ordering said bill No. 84, (S.) to be read the third time,

Mr. Rickerson moved that the rules be suspended and that said bill be read the third time now; which was disagreed to.

The said bill was then ordered to be read the third time.

The said bill No. 99, (A.) was ordered to be engrossed and read the third time.

Mr. Barber presented the account of Felix McLinden for articles furnished the state;

Which was referred to the committee on claims.

Mr. Thorp moved to take from the table

No. 77, (A.) A bill to incorporate the Salem Cemetery Society;

Which was agreed to.

The said bill was then ordered to be engrossed and read the third time.

Mr. Kerr, from the committee on enrolled bills, submitted the following report:

The committee on enrolled bills, report that they have examined

No. 57, (S.) A bill relating to counties and county officers;

No. 87, (S.) a bill regulating ferries;

No. 95, (S.) A bill to provide for the collection of demands against boats and vessels;

No. 74, (A,) bill to consolidate and amend an act entitled "an act to incorporate Carroll College," approved January 31, 1846, and an act amendatory thereto, approved January 25th, 1847;

And find the same correctly enrolled.

The above bills was thereupon signed by the speaker, and transmitted to the senate.

The speaker laid before the assembly the following communications from his excellency the governor, which was read as follows, to wit:

EXECUTIVE DEPARTMENT,
March 6th, 1849.

To the Assembly:

I have this day approved, signed and deposited in the office of the secretary of state, acts of the following titles, to wit:

An act to vacate a part of Monroe street in the village of Monroe, in the county of Green;

An act to authorize the treasurer of the town of Belgium in the county of Washington to receive certain money;

An act to change the boundary of the towns of Jefferson and Koshkonong in the county of Jefferson;

An act to extend the boundaries of the county of Marquette; and

Memorial to congress for a grant of land to aid in the construction of a rail road from the Falls of St. Croix to Lake Superior.

NELSON DEWEY.

EXECUTIVE DEPARTMENT,
March 7th, 1849.

To the Assembly:

An act entitled an act to amend an act entitled "an act to establish the time of holding circuit courts,

Was on the 6th inst., approved and signed by me, and deposited in the office of the secretary of state.

NELSON DEWEY.

Mr. Martin introduced the following resolution:

Resolved, the senate concurring, That no more newspapers be taken by members of the legislature, at the expense of the state, during the present session.

And the question being on the adoption thereof,

Mr. Clark moved that said resolution be laid upon the table;

Which was disagreed to.

Mr. Clark moved that the further consideration thereof be indefinitely postponed.

And the question on the adoption of said motion,

Having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Alden, Bird, Bowron, Chase, Clark, Delaney, Dick, Flynn, Gillilan, Hill, Kerr, O'Neil, Pierce, Pratt, Reymert, Rickerson, Rockwell, Thomas, Townsend, Turck, Young, and Hobart, (speaker)—22.

Those who voted in the negative, were

Messrs. Ayers, Barber, Briggs, Colwell, Crandall, Crawford, Daugherty, Fagan, Hastings, Hazard, W. H. Johnson, Solon Johnson, Juneau, Kelsey, Keuhn, King, Lown, Martin, Meade, Noble, Nute, Page, Parkinson, Phelps, Pike, Pope, Roys, Thorp, Toland, Warren, Wasson, Wells, White, and Willard, —34.

Mr. Delaney moved to amend said resolution by adding:

"And that no further postage be paid by the state on any mail matter sent or received by members."

And the question on the adoption thereof

Having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Alden, Ayers, Bird, Briggs, Chase, Clark, Crawford, Daugherty, Delaney, Dick, Fagan, Flynn, Gillilan, Hazard, Hill, W. H, Johnson, Solon Johnson, Juneau, Kerr, Keuhn, Noble, Nute, O'Neil, Parkinson, Pierce, Pike, Pratt, Reymert, Rickerson, Roys, Thomas, Thorp, Toland, Townsend, Wasson, White, Willard, and Hobart, (speaker,)—38.

Those who voted in the negative, were

Messrs. Barber, Bowron, Colwell, Crandall, Hastings, Kelsey, King, Lown, Martin, Meade, Page, Phelps, Pope, Rockwell, Turck, Warren, Wells, and Young,—18.

Mr. Kelsey moved that said resolution be laid upon the table.

And the question on the adoption thereof

Having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Alden, Bird, Bowron, Chase, Clark, Crawford, Flynn, Hill, Kelsey, Kerr, Lown, Pope, Rickerson, Thomas, Townsend, Turck, and Young—17.

Those who voted in the negative, were

Messrs. Ayers, Barber, Briggs, Colwell, Crandall, Daugherty, Delaney, Dick, Fagan, Gillilan, Hastings, Hazard, W. H. Johnson, Solon Johnson, Juneau, Keuhn, King, Martin, Noble, Nute, O'Niel, Page, Parkinson, Phelps, Pierce, Pike, Pratt, Reymert, Rockwell, Roys, Thorp, Toland, Warren, Wasson, Wells, White, Willard, and Hobart, (speaker)—38.

On motion of Mr. Hill,

The assembly adjourned until half past two, P. M.

HALF PAST TWO O'CLOCK, P. M.

Petitions were presented and severally referred as follows:

By Mr. Willard:

The petition of John M. Keep and eight others, praying for the appointment of a commissioner to assist in laying out a certain road provided for by the legislature of the territory of Wisconsin in 1848, to fill a vacancy occasioned by the decease of John Shepard;

Referred to the committee on roads, bridges, and ferries.

By Mr. Rickerson:

A remonstrance of Charles Drakely and sixty others, in town seven range eleven, against division of the said town; and

The remonstrance of Martin Wadsit and forty-eight others, against the division of the town of Cottage Grove;

Referred severally to the committee on town and county organization.

By Mr. White:

The petition of Charles A. Tuttle, James Holliday, and James S. Brown, praying the passage of an act making the office of police justice of the city of Milwaukee elective; which,

On motion of Mr. White,

Was laid upon the table.

Mr. Thomas gave notice, that on to-morrow or some future day, he would introduce

A bill to authorize the governor to issue patents to the purchasers of canal lands.

Mr. Thorp gave notice that on to-morrow or some future day, he would ask leave to introduce

A bill relating to justices of the peace and their jurisdiction.

Mr. Briggs by leave, introduced

No. 130, (A.) A bill to amend an act entitled "an act to incorporate the Lake Michigan and Mississippi rail road company, approved Feb. 4th, 1847;

Which was read the first and second times.

Mr. Pope by leave, introduced

No. 131, (A.) A bill to organize the town of La Prairie in the county of Rock;

Which was read the first and second times.

Mr. Roys, from the committee on town and county organization, reported

No. 132, (A.) A bill declaring a certain road in the town of Rosendale in Fond du Lac county to be a lawful highway; and

No. 133, (A.) A bill in relation to certain school districts in Fond du Lac county;

Which were severally read the first and second times.

Mr. Clark, from the committee on roads, bridges, and ferries, reported

No. 134, (A.) A bill to legalize the acts of certain town officers of the town of Spring Prairie, and to declare a road therein described a lawful highway;

Which was read the first and second times.

Mr. W. H. Johnson, from the committee on incorporations to whom the same had been referred, reported adversely to the passage of

No. 6, (S.) A bill to repeal an act in relation to mills and mill dams; also

Adversely to the prayer of the petition of F. Randall and others, praying that certain lands lying within the limits of the city of Milwaukee be taken out of said city and attached either to the town of Wauwatosa or Milwaukee.

Messages from the senate were taken up.

And the question being on concurring in the amendment of the senate, to

No. 45, (A.) An act to appropriate to H. A. Tenney the sum therein named,

Mr. Noble moved that said bill and amendments be laid upon the table;

Which was agreed to.

No. 97, (S.) A bill to change the name of the village of Milford in Green county,

Was read the first and second times.

The question being on receding or insisting on the tenth amendment of assembly to

No. 85, (A.) A bill in relation to strays;

The assembly receded from its said amendment.

Mr. Barber moved that Mr. Brown be excused from further service as chairman of the committee on claims;

Which was agreed to.

The speaker appointed Mr. Wells as chairman of the said committee,

And Mr. Ayers as a member of the said committee to fill a vacancy occasioned by the absence of Mr. Brown.

No. 82, (A.) A bill to divide the town of Cottage Grove, in Dane county, into two separate towns; and

No. 25, (S.) A bill to amend an act entitled an act to incorporate the city of Milwaukee, and acts amendatory thereto;

Were severally read the third time, passed, and the titles thereof agreed to.

No 84. (S.) A bill to appropriate to John T. Wilson, Seymour & Varney, Dean & Co., Timothy Robertson, James Helpin, H. A. Tenney, Henry C. Parker, and Thomas Dunn, the several sums therein named;

Was read the third time.

And the question being, "shall the bill pass",

Mr. Colley moved that said bill be laid upon the table;

Which was agreed to.

The pending question being on re-considering the vote by which the enacting clause of

No. 64, (S.) A bill to provide for the removal of the county seat of Washington county, and for the permanent location thereof;

Was stricken out.

Mr. Kelsey moved the previous question,

Which was demanded.

And the question being, "shall the main question be now put?"

Having been put,

It was decided in the affirmative.

And the question being on re-considering the vote by which the enacting clause was stricken out,

Having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Barber, Bowron, Chase, Clark, Crandall, Crawford, Delaney, Fagan, Flynn, Hill, Keuhn, Leland, Lown, Nute, O'Niel, Page, Toland, Turck, Wasson, Willard, and Hobart, (speaker)—21.

Those who voted in the negative, were

Messrs. Alden, Ayers, Bird, Briggs, Burns, Colwell, Colley, Daugherty, Dick, Gillilan, Hastings, Hazard, W. H. Johnson, Solon Johnson, Juneau, Kelsey, Kerr, King, Martin, Meade, Noble, Parkinson, Phelps, Pierce, Pike, Pope, Pratt, Reymert, Rickerson, Rockwell, Roys, Strong, Thomas, Thorp, Townsend, Warren, Wells, White, and Young—39.

Mr. Wells by leave, introduced

No. 135. (A.) A bill to amend an act to provide for levying a state revenue. approved August 1st, 1848;

Which was read the first and second times.

Mr. Wells moved that the rules be suspended and that said bill be read the third time and passed now;

Which was agreed to.

Mr. Crawford moved to amend by adding:

Sec. —— Nothing in this act shall be construed as to include state scrip now in the hands of county treasurers or county collectors.

And the question being on the adoption thereof,

Having been put,

It was decided in the negative.

The said bill was then read the third time, psssed, and the title thereof agreed to.

Mr. Hazard introduced the following resolution:

Resolved, That the committee on claims be and are hereby instructed to cancel all scrip, auditor's warrants. or other evidence of state indebtedness, whenever an appropriation shall have been made for the same, and also to ascertain whether all scrip, warrants, or other evidences of state indebtedness, upon which appropriations have been made, have been cancelled, and if not that the committee be instructed to cancel the same.

And the question being on the adoption thereof,

Mr. Hastings moved that said resolution be referred to the committee on the judiciary;

Which was agreed to.

Mr. Delaney, by leave, introduced

No. 136, (A.) A bill to prevent the issue of scrip, certificates, and other evidences of debt by the officers of the state:

Which was read the first and second times.

A message from the senate by their chief clerk:

Mr. Speaker:

I am directed to inform you that the senate has passed

No. 3, (S.) Joint resolution relating to public lands, and

No. 99, (S.) A bill in relation to highways and bridges.

In which the concurrence of the assembly is requested.

On motion of Mr. Clark,

The assembly resolved itself into committee of the whole for the consideration of the general file

Mr. Daugherty in the chair.

And after some time spent therein the committee rose and by their chairman reported back to the assembly

No. 109, (A.) A bill to authorize the people of Winnebago county to remove their county seat from Oshkosh to Butte des Morts;

No. 5, (S.) A bill to provide for the protection of married women in the enjoyment of their property;

No. 92, (S.) A bill to provide for the publication of the laws passed at the present session of the legislature;

With amendments, and

No. 77, (S.) A bill to incorporate the Methodist Episcopal Church;

No. 76, (S.) A bill to amend an act entitled an act to incorporate the Merchants' Mutual Insurance Company of Milwaukee;

No, 5, (S.) A bill to incorporate Dane Academy.

No. 52, (S.) A bill supplementary to an act to incorporate the Milwaukee Mutual Fire Insurance Company, approved December 27, 1837, and an act to amend an act to incorporate the Milwaukee Mutual Fire Insurance Company, approved February 4th, 1847;

No. 89, (S.) A bill prescribing certain duties to be performed by the clerks of counties under the county commissioner system of government;

No. 96, (S.) A bill for an act to authorize the board of supervisors of Dane county to borrow money to build a court house, and to purchase a site for the same:

No. 67, (S.) A bill to provide for the final settlement with the Milwaukee and Rock River canal company;

No. 28, (A.) A bill to amend an act entitled "An act to ex empt from forced sale on final process the property therein named," approved August 10th, 1848.

No. 107, (A.) A bill to declare part of a state road to be a lawful highway;

No. 108, (A.) A bill to divide the town of Brighton in the county of Winnebago; and

No. 111, (A.) A bill to organize the town of Vinland in Winnebago county.

No. 119, (A.) A bill to change the name of the village of Haraztlıy in Sauk county;

No. 124, (A.) A bill to appoint commissioners to lay out a road, and for other purposes;

No. 121, (A.) A bill to divide the town of Dane, Dane county;

No. 120, (A.) A bill to organize the town of Chili, in the county of Fond du Lac;

No. 125, (A.) A bill for an act to legalize the proceedings of a school meeting held in school district No. 1, in the town of Waterloo, Jefferson county;

No. 128 (A.) A bill to establish a state road from Neenah o Strong's Landing;

No. 73, (A.) A bill to provide for the location of a state's prison,

No. 85, (A.) A bill to organize the town of Primrose in Dane county;

No. 112, (A.) A bill to declare the Fond du Lac river a navigable stream;

No. 113, (A.) A bill to declare certain roads in the town of Lisbon to be lawful highways; and

No. 114, (A.) A bill to establish a state road from Fond du Lac to Port Washington;

No. 115, (A.) A bill to incorporate the Free Congregational Church of the city of Milwaukee;

No. 7, (S.) Joint resolutions relative to a proposed amendmend to the constitution of the United States, concerning the election of senators in congress; and

No. 68, (A.) A bill repealing all laws providing for the licensing of the sale of spirituous liquors;

Without amendment.

The said bills, Nos. 107, 111, 119, 124, 128, 85, 125, 112, 113, and 114, (A.)

Were severally ordered to be engrossed and read the third time.

The said bills, Nos. 76, 89, 96, (S.) were severally ordered to be read the third time.

The amendment of the committee of the whole to said bill, No. 109 (A.) which was to strike out the enacting clause,

Was concurred in,

And the question being on concurring in the amendment of the committee of the whole to said bill No. 5, (S.) which was to strike out the enacting clause;

Having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Ayres, Bird, Bowron, Chase, Colwell, Colley, Crandall, Crawford, Dick, Fagan, Flynn, Gillilan, Hastings, Hazard, Kelsey, Kerr, King, Lown, Martin, Parkinson, Phelps, Pike, Pope, Pratt, Strong, Warren, Wells, Willard and Young—29.

Those who voted in the negative, were

Messrs. Barber, Burns, Clark, Cross, Daugherty, Delaney, Hill, Solon Johnson, Juneau, Noble, Nute, O'Neil, Pierce, Reymert, Rockwell, Roys, Thomas, Toland, Townsend, Turck, Wasson, and Hobart, (speaker.)—22.

The question being on ordering the said bill, No. 77, (S.) to be read the third time,

Mr, Noble moved that said bill be returned to the general file,

Which was agreed to.

The question being on ordering said bill, No. 7 (S.) to be read the third time,

Mr. Delaney moved that the same be laid upon the table;

Which was disagreed to,

The said bill was then ordered to be read the third time.

The question being on ordering said bill, No. 75, (S.) to be read the third time.

Mr. Strong moved that the said bill be laid upon the table,

Which was agreed to.

And the question being on ordering said bill, No. 53, (S.) to be read the third time.

Mr. Burns moved that said bill be laid upon the table,

Which was agreed to.

The question being on ordering said bill, No. 108, (A.) to be engrossed and read the third time,

Mr. Townsend moved that said bill be laid upon the table;

Which was agreed to.

The question being on ordering said bill, No. 67, (S.) to be read the third time,

Mr. Reymert moved that said bill be laid upon the table;

Which was agreed to.

The question being on ordering said bill, No. 33, (A.) to be engrossed and read the third time,

Mr. Hastings moved that said bill be laid upon the table;

Which was agreed to.

The question being on ordering said bill, No. 38, (S.) to be read the third time;

Mr. Daugherty moved that said bill be laid upon the table;

Which was agreed to,

The question being on ordering said bill, No. 115, (A.) to be engrossed and read the third time,

Mr. Crawford moved that said bill be laid upon the table;

Which was agreed to.

And the question being on ordering said bill, No. 68, (A.) to be engrossed and read the third time,

Mr. Hastings moved that said bill be returned to the general file,

Which was agreed to.

On motion of Mr. Solon Johnson,

The assembly adjourned.

THURSDAY, March 8th, 1849.

Prayer by the Rev. Mr. Read.

No. 99, (S.) A bill in relation to highways and bridges,

Was read the first and second times.

Leave of absence for ten days was granted to Mr. Delany, and for one week to Mr. W. H. Johnson.

No. 98, (A.) A bill in relation to the law of roads and the regulation of public carriages,

Was read the third time, passed, and the title agreed to.

On motion of Mr. Wells,

The assembly resolved itself into committee of the whole for the consideration of

No. 116. (A.) A bill in relation to homicide;

Mr. Crandall in the chair.

After some time spent therein the committee rose, and by their chairman, reported said bills back to the assembly without amendments.

And the question being on ordering the said bill to be engrossed and read the third time,

Mr. Burns moved to amend by striking out the word "death" where it occurs after the words "punishment of," in the second section of said bill.

And the question on the adoption of said amendment,

Having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Alden, Bowron, Briggs, Burns, Colwell, Cross, Daugherty, Gillilan, Hastings, Hill, Kelsey, Kerr, Keuhn, Meade, O'Neil, Page, Parkinson, Pierce, Pike, Reymert, Rickerson, Thomas, Toland, Townsend, Turck, Wasson, Young and Hobart, (speaker)—28.

Those who voted in the negative, were

Messrs. Ayers, Bird, Barber, Chase, Clark, Colley, Crandall, Crawford, Dick, Fagan, Flynn, Hazard, Solon Johnson, King, Leland, Lown, Martin, Noble, Nute, Phelps, Pope, Pratt, Rockwell, Roys, Strong, Thorp, Warren, White and Willard,—29.

Mr. Alden moved to amend the bill by adding another section thereto, as follows, to wit:

Sec. —— After conviction for murder in the first degree, the convict shall be placed in confinement in a cell by himself in the state prison for one year. At the end of said term, the convict shall be executed, unless the governor or legislature shall commute the sentence to hard labor in the state prison for life.

And the question on the adoption thereof,

Having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Alden, Bowron, Briggs, Burns, Hastings, Hill, Kelsey, Meade, Thomas, Toland, Turck, Wasson, Wells and Hobart, (speaker,)—14.

Those who voted in the negative were

Messrs. Ayres, Barber, Bird, Chase, Colwell, Colley, Clark, Crandall, Crawford, Daugherty, Dick, Fagan, Flynn, Gillilan, Hazard, Solon Johnson, Kerr, Keuhn, King, Leland, Lown, Martin, Noble, Nute, O'Niel, Page, Parkinson, Phelps, Pierce, Pike, Pope, Pratt, Rickerson, Rockwell, Roys, Thorp, Townsend, Warren, White, Willard and Young—41.

Mr. Roys moved to amend section second, by adding after the word "death," as follows:

"After two years from the time of receiving such sentence, and during such two years, such convict shall be confined to solitary imprisonment; unless sooner proved innocent and released according to law."

And the question on the adoption thereof

Having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Bird, Bowron, Hill, Solon Johnson, Keuhn, Meade, Pierce, Reymert, Rickerson, Roys, Thomas, Thorp, Toland, Wasson, Wells, and Hobart, (speaker,)—16.

Those who voted in the negative, were

Messrs. Alden, Ayers, Barber, Briggs, Burns, Chase, Colwell, Colley, Clark, Crandall, Crawford, Daugherty, Dick, Fagan, Flynn, Gillilan, Hastings, Kelsey, King, Leland, Lown, Martin, Noble, Nute, O'Neil, Page, Parkinson, Phelps, Pike, Pope, Pratt, Rockwell, Townsend, Turck, Warren, White, Willard and Young,—37.

Mr. Kelsey moved further to amend said bill, as follows:

"Strike out in line first, section first, the words "without the authority of law."

And the question on the adoption thereof,

Having been put,

It was decided in the negative.

Mr. Roys moved to amend Sec. 2, in the 4th line, by adding after the word "death," "but no person shall be executed until after two years from the time of receiving the sentence of death."

And the question on the adoption thereof,

Having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Bird, Chase, Daugherty, Hill, Solon Johnson, Kelsey, Meade, Page, Phelps, Reymert, Roys, Thomas, Thorp, Toland, Turck, Wells, and Hobart, (speaker.)—17.

Those who voted in the negative, were

Messrs. Alden, Ayers, Barber, Bowron, Burns, Colwell, Colley, Clark, Crandall, Crawford, Dick, Fagan, Flynn, Gillilan, Hastings, Hazard, Kerr, Kuehn King, Leland, Martin, Noble, Nute, O'Neill, Parkinson, Pierce, Pike, Pope, Pratt, Rockwell, Townsend, Warren, Wasson, White, Willard and Young —36.

Mr. Roys moved that the vote by which the assembly rejected the amendment offered by Mr. Burns to the section second of said bill, be re-considered.

And the question being on the adoption of said motion,

On motion of Mr. Kuehn,

The assembly adjourned until half past two, P. M.

HALF PAST TWO O'CLOCK, P. M.

Mr. Daugherty, from the committee on engrossed bills, reported

No. 97, (A.) A bill to authorize the apportionment of school monies to district No. 10, in the town of Lima and Johnstown in the county of Rock:

No. 99, (A.) An act to prevent obstructions in Black river;

No. 96, (A.) A bill to legalize the proceedings of a school meeting held in school district No. 2, in the town of Medina, Dane county, and to raise an additional tax to build a school house;

No. 98, (A.) A bill in relation to the law of roads and the regulation of public carriages;

No. 77, (A.) A bill to incorporate the Salem Cemetery society;

No. 95, (A.) A bill to amend the charter of the city of Racine; and

No. 93, (A.) A bill to authorize the electors of La Fayette county to vote on the removal of the county seat;

As correctly engrossed.

A message from the senate by their chief clerk:

MR. SPEAKER:

I am directed to inform you that the senate has adopted the following resolutions:

Resolved, by the senate and assembly, That the legislature will adjourn on the first Monday of April next, or sooner if we get through with the revision and compilation of the laws.

Resolved, by the senate and assembly, That the secretary of state, be and hereby is directed to notify the attorney general of the names and amounts of delinquency of the several counties of this state in pursuance of an act to provide for the levying and collecting state revenue, approved August 1st, 1848, and the attorney general is hereby directed to commence forthwith, suits against the delinquent counties for the several sums due from them to the state.

And has passed

No. 37, (S.) A bill to amend an act entitled an act to provide for the improvement of the Fox and Wisconsin rivers and connecting the same by a canal, approved August 8th, 1848 ;

No. 60, (S.) A bill to organize county courts ;

No. 20, (S.) A bill to establish a state road through a part of Iowa, Richland and Sauk counties,

In which the concurrence of the assembly is requested.

Also has passed

No. 55. (A.) A bill to declare certain roads in the town of Emmet to be lawful highways ; and

No. 110, (A.) A bill to authorize the construction of a wharf on the Milwaukee river,

Without amendments.

And has passed

No. 135, (A.) A bill to amend an act to provide for levying a state revenue, approved August 1st, 1848,

With amendments.

In which the concurrence of the assembly is requested.

Petitions were presented and severally referred, as follows :

By Mr. Kerr :

The petition of Joshua Roads and others praying for the establishment of a state road ;

Referred to the committee on roads, bridges and ferries ; also

The petition of James B. Miller and 15 others praying for a right to keep a ferry across the Wisconsin river at Dekora.

By Mr. Roys :

The petition of F. Henry and others, asking the laying out of a state road in the county of Dane ;

Referred severally to the committee on roads, bridges and ferries.

By Mr. Turck :

Sundry petitions of citizens of Washington county praying for the publication of the laws in the German language ;

Referred to the committee on printing.

By Mr. Thomas :

The petition of Levi Russell and others to maintain and keep in repair a mill dam now erected on on the south-east quarter of the east east quarter of section, thirty-two in town eight, north of range nineteen, east.

By Mr. White :

A letter of E. Champney in relation to the said mill dam ;

Which were severally laid upon the table.

Mr. Kerr, by leave, introduced

No. 137, (A.) A bill to vacate a certain road therein named ;

Which was read the first and second times ; and

On motion of Mr. Kerr,

Referred to the committee on roads, bridges and ferries.

Mr. Burns by leave, introduced

No, 138, (A.) An act to amend an act supplementary to an act to incorporate the Milwaukee and Waukesha rail road company, approved March 11, 1848, and an act to incorporate the Milwaukee and Waukesha rail road company, approved Feb. 11, 1847 ;

Which was read the first and second times.

Mr. Ayres, from the committee on claims to whom the same had been referred, reported back to the assembly

No. 72 (S,) A bill to appropriate to Wm. R. Smith the sum therein named ; and

No. 74, (S.) An act to provide for the payment of the commissioners to revise the laws and their clerk the sums therein named ;

Without amendment, and recommending the passage thereof.

Messages from the senate were taken up.

No. 3, (S.) Joint resolutions relating to public lands ;

No. 20, (S.) A bill to establish a state road through a part of Iowa, Richland and Sauk counties ;

No. 37, (S.) A bill to amend an act entitled "an act to provide for the improvement of the Fox and Wisconsin rivers, and connecting the same by a canal, approved August 8th, 1848; and

No. 60, (S.) A bill to organize county courts;

Were severally read the first and second times.

Mr. Daugherty moved that said bill No, 60, (S.) be referred to the committee on compilation of laws;

Which was agreed to.

The resolution of the senate in relation to fixing the day for the adjournment of the legislature; and

The resolution of the senate in relation to counties that are in arrears in the payment of state taxes;

Were concurred in.

And the question being on concurring in the amendment of the senate to

No. 135, (A.) A bill to amend an act to provide for levying a state revenue, approved Aug. 1st. 1848;

Having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Bird, Hazard, Nute, Pope, and Townsend,—5.

Those who voted in the negative were

Messrs. Alden, Ayers, Barber, Bowron, Burns, Chase, Colwell, Colley, Clark, Crandall, Dick, Fagan, Gillilan, Hastings, Hill, Solon Johnson, Juneau, Kelsey, Kerr, Keuhn, King, Leland, Lown, Martin, Meade, Noble. O'Neal, Page, Parkinson, Phelps, Pierce, Pike, Pratt, Reymert, Rickerson, Rockwell, Roys, Thomas, Thorp, Toland, Turck, Warren, Wasson, Wells, White, Willard, Young, and Hobart, (speaker,)—48.

Mr. White by leave, introduced

No. 139, (A.) A bill to amend an act to incorporate the city of Milwaukee;

Which was read the first and second times.

Mr. White moved that said bill be laid upon the table;

Which was agreed to.

The speaker laid before the assembly the following communication from his excellency the governor, which was read as follows:

EXECUTIVE DEPARTMENT,
March 8th, 1849.

To the Assembly:

I have this day approved, signed and deposited in the office of the secretary of state, acts of the following titles, to wit:

An act to authorize the construction of a dam across Rock river;

An act to extend the boundaries of Winnebago county; and

An act in relation to the boundaries of the counties of Columbia, Adams, Sauk, Chippewa, and St. Croix;

NELSON DEWEY.

Mr. Clark, from the committee on roads, bridges, and ferries reported

No. 140, (A.) A bill to authorize the construction of a bridge across Fox river; and

No. 141, (A.) A bill to authorize the construction of a bridge across Fox river;

Which were severally read the first and second times.

Mr. Kelsey introduced

No. 142, (A.) A bill to repeal an act entitled an act to amend an act to organize school district No 1, in Fond du Lac for special purposes, approved Feb. 10, 1847, and all other acts relating to the same subject;

Which was read first and second times.

No. 7. (S.) Joint resolutions relating to a proposed amendment to the constitution of the United States, concerning the election of senators in congress;

No. 76, S. A bill to amend an act entitled an act to incorporate the Merchant's Mutual Insurance company of Milwaukee;

No. 96, (S.) A bill for an act to authorize the board of supervisors of Dane county to borrow money to build a court house and to purchase a site for the same;

No. 89, (S.) A bill prescribing certain duties to be performed by the clerks of counties under the county commissioner system of government;

No. 77, (A.) A bill to incorporate the Salem Cemetery Society;

No. 95, (A.) A bill to amend the city charter of the city of Racine;

No. 96, (A.) A bill for an act to legalize the proceedings of a school meeting held in school district number two, in the town of Medina, in Dane county, and to raise an additional tax to build a school house;

No. 97, (A.) A bill for an act to authorize the apportionment of school money to district No. 10, in the towns of Lima and Johnstown in the county of Rock; and

No. 99, (A.) An act to prevent obstructions to Black river;

Were severally read the third time, passed, and the titles thereof agreed to.

No. 93, (A.) A bill to authorize the electors of La Fayette county to vote on the removal of the county seat;

Was read the third time.

And the question, "shall the bill pass?"

Having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Alden, Ayers, Barber, Briggs, Bird, Chase, Colley, Crawford, Daugherty, Dick, Gillilan, Hastings, Hazard, Solon Johnson, Juneau, Kelsey, Kerr, King, Leland, Lown, Martin, Meade, Noble, Page, Parkinson, Phelps, Pierce, Pike, Pope, Pratt, Reymert, Roys, Thorp, Turck, Warren, Wasson, Wells, White, Willard and Young—39.

Those who voted in the negative, were

Messrs. Bowron, Burns, Colwell, Clark, Fagan, Flynn, Hill, Keuhn, Nute, O'Neal, Rickerson, Rockwell, Thomas, Toland, Townsend, and Hobart, (speaker,)—16.

No. 100 (A.) A bill to organize the town of Buena Vista in the county of Richland;

Was ordered to be engrossed and read the third time.

Mr. Rickerson moved that

No. 84, (S.) A bill to appropriate to John T. Wilson, Seymour & Varney, Dean & Co., Timothy Robertson, James Helpin, H. A. Tenney, Henry C. Parker, and Thomas Dunn, the sums therein named;

Be taken from the table, and referred to a select committee of three;

Which was agreed to.

The speaker appointed Messrs. Rickerson, Hastings, and Colley said committee.

Mr. Hastings moved that

No. 73, (A.) A bill to provide for the location of a states' prison;

Be taken from the table, and referred to the general file;

Which was agreed to.

Mr. Noble moved that

No. 120, (A.) A bill to organize the town of Chili, in the county of Fond du Lac,

Be taken from the table, and that the rules be suspended, and said bill be read the third time now;

Which was agreed to.

The said bill was then read the third time, passed, and the title thereof agreed to.

Mr. Roys moved that,

No. 121, (A.) A bill to divide the town of Dane, in Dane county,

Be taken from the table;

Which was agreed to.

Mr. Roys moved to amend said bill by striking out the name of Daniel Miller and insert the name of William Dunlap, and strike out in section 2, the word Prussia, and insert Mecklenburgh;

Which was agreed to.

Mr. Roys moved that the rules be suspended and that said bill be read the the third time now;

Which was agreed to.

The said bill was then read the third time, passed, and the title thereof agreed to.

Mr. Turck moved that

No. 123, (A.) A bill to provide for building a bridge across the Milwaukee river on the county line dividing Milwaukee and Washington,

Be taken from the table,

Which was agreed to.

And the question being on ordering said bill to be engrossed and read the third time,

Mr. Wasson moved that the further consideration of said bill be postponed for ten days;

Which was disagreed to.

Mr. Chase moved to amend by striking out the proviso in the first section, which reads as follows:

Provided one half the amount of the cost of the erection and building said bridge be first granted and appropriated by the said counties respectively in equal proportions;

Which was agreed to.

The said bill was then ordered to be engrossed and read the third time.

Mr. Roys moved that

No. 45, (A.) A bill to appropriate to H. A. Tenney the sum therein named;

Be taken from the table,

Which was disagreed to.

Mr. Willard moved that

No. 64, (A.) A bill to incorporate the Spring Valley academical association;

Be taken from the table;

Which was agreed to.

The amendments of the senate to said bill were concurred in.

Mr. Kerr, from the committee on enrolled bills, submitted the following report:

The committee on enrolled bills, report that they did on yesterday present to his excellency for his approval

An act to extend the boundaries of the county of Winnebago;

An act to authorize the construction of a dam across Rock River;

An act in relation to the boundaries of the counties of Adams, Columbia, Chippewa, Sauk, La Pointe, and St. Croix.

A message from the senate by their chief clerk:

Mr. Speaker:

I am directed to inform you that the senate has passed

No. 103, (S.) A bill relating to set offs, amendments, the action of ejectment, and the time of commencing actions.

In which the concurrence of the assembly is requested.

On motion of Mr. Barber,

The assembly resolved itself into committee of the whole for the consideration of the general file of bills,

Mr. Barber in the chair.

And after some time spent therein the committee rose and by their chairman reported the said bills back to the assembly,

No. 92, (A.) A bill to provide for the publication of the laws; and

No. 122, (A.) A a bill submitting the question of the extension of the right of suffrage to a vote of the people;

With amendments.

No. 130, (A.) A bill to amend an act entitled "an act to incorporate the Lake Michigan and Mississippi rail road company, approved Feb. 4th, 1847;

No. 74 (S.) an act to provide for the payment of the commissioners to revise the laws and their clerks the sums therein named;

No. 73, (A.) A bill to provide for the location of a states' prison;

No. 72, (S.) A bill to appropriate to William R. Smith the sum therein named;

No. 77, (S.) A bill to incorporate the Methodist Episcopal Church;

No. 127, (A.) A bill to amend an act entitled "an act to provide for the improvement of the Fox and Wisconsin rivers, and connecting the same by a canal, approved August 8th, 1848;

No. 68, (A.) A bill repealing all laws for providing for the licensing of the sale of spirituous liquors;

No. 118 (A.) A bill in relation to the time for holding the several circuit courts of the state of Wisconsin;

No. 7, (A.) A memorial to the president of the United States asking that measures may be taken to prevent depredations by Indians;

No. 132, (A.) A bill declaring a certain road in the town of Rosendale in Fond du Lac county to be a lawful highway;

No. 133, (A.) A bill in relation to certain school districts in Fond du Lac county;

No. 134, (A.) A bill to legalize the acts of certain town officers of the town of Spring Prairie, and to declare a road therein described a lawful highway;

No. 131, (A.) A bill to organize the town of La Prairie in the county of Rock;

No. 97, (S.) A bill to change the name of the village of Milford in Green county,

No. 6, (S.) A bill to repeal an act in relation to mills and mill dams; and

No. 136, (A.) A bill to prevent the issue of scrip, certificates, and other evidences of debt by the officers of the state;

Without amendments.

The amendment of the committee of the whole to said bill No. 92, (A.) which was

To strike out the enacting clause;

Was concurred in.

The question being on concurring in the amendment of the committee of the whole to said bill, No. 122, (A.)

Mr. Hill moved to amend by adding another section as follows:

Sec.—Provided this act shall only apply to those counties where a majority of all the votes cast on that subject shall be in favor of negro suffrage.

Which was disagreed to,

The amendment of the committee of the whole to said bill was concurred in..

The question being on ordering said bill to be engrossed and read the third time,

Mr. Bowron moved to amend by inserting after the word election in the third line of section second the words "and eligible to hold any office in the state."

And the question on the adoption thereof

Having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Alden, Bowron Briggs, Burns, Chase, Colley, Clark, Crawford, Daugherty, Dick, Fagan, Gillilan, Hill, Kerr, Keuhn, Meade, Noble, Nute, O'Neil, Parkinson, Pierce, Pope, Pratt, Reymert, Rickerson, Rockwell, Roys, Strong, Thomas, Thorp, Turck, Wasson, Willard, Young, and Hobart, (speaker,)—35.

Those who voted in the negative, were

Messrs. Ayers, Barber, Bird, Colwell, Crandall, Flynn Hastings, Hazard, Solon Johnson, Juneau, Kelsey, King, Leland, Lown, Martin, Page, Phelps, Pike, Townsend, Warren, Wells, and White,—22.

And the question on ordering said bill to be engrossed and read the third time,

Having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Alden, Ayres, Barber, Chase, Colwell, Colley, Crandall, Daugherty, Dick, Fagan, Hastings, Solon Johnson, Kelsey, Kerr, Keuhn, Leland, Lown, Martin, Meade, Noble, Page, Phelps, Pike, Pope, Pratt, Reymert, Strong, Thomas, Thorp, Townsend, Warren, Wasson, Wells, White, Willard, and Hobart, (speaker,)—36.

Those who voted in the negative were

Messrs. Bird, Bowron, Briggs, Burns, Clark, Crawford, Flynn, Gillilan, Hazard. Hill, Juneau, King, Nute, O'Neill, Parkinson, Pierce, Rickerson, Rockwell, Roys, Toland, Turck, and Young—22.

The question being on ordering the said bill, No. 130, (A.) to be engrossed and read the third time;

Mr. Briggs moved to amend the same

By striking out the name of Levi Blossom and insert in lieu thereof Benjamin Edgarton.

Which was agreed to.

The said bill was then ordered to be engrossed and read the third time,

Said bill, No. 74, (S.) was ordered to be read the third time.

And the question being on ordering said bill, No. 73, (A.) to be engrossed and read the third time,

Mr. Kerr moved to amend said bill by striking out so much as relates to Dodge county iron mines and employing the prisoners in the manufacture of iron, and insert Fort Winnebago.

Mr. Alden moved to amend the amendment by inserting "in the town of Genessee, Waukesha county, on the marble quarry of Silas Remmington in said town."

On motion of Mr. Toland,

The assembly adjourned.

FRIDAY, March 9th, 1849.

Prayer by the Rev. Mr. Lord.

Mr. Strong, from the committee on compiling the laws, reported

No 148, (A.) A bill relating to real estate, wills, executors, and administrators ;

No. 144, (A.) A bill concerning the action of replevin ;

No. 145, (A.) A bill concerning oaths ; and

No. 146, (A.) A bill relative to recording town plats ;

Which were severally read the first and second times.

Mr. Strong moved that said bill No. 144, (A.) be laid upon the table and ordered to be printed ;

Which was agreed to.

Mr. Strong presented the remonstrance of William Williams, and others relating to the Dekorah road :

Which was referred to the committee on roads, bridges and ferries ; also

The petition of citizens of Racine in relation to the sale of the school section in said city ;

Which was laid upon the table.

Mr. Strong, by leave, introduced

No. 147, (A.) A bill providing for the sale of the school section in the city of Bacine ;

Which was read the first and second times, and

On motion of Mr. Strong,

Laid upon the table.

Leave of absence, for one week, was granted to Mr. Warren.

Mr. Cross was excused, on his motion, from serving as a member of the special enrolling committee.

The speaker appointed Mr. Daugherty as a member of said committee in lieu of Mr. Cross.

Mr. Phelps, by leave, introduced

No. 148, (A.) A bill to amend an act, approved August 19th, 1848, entitled an act to organize the several towns therein named;

Which was read the first and second times.

Mr. Crandall, by leave, introduced

No. 149, (A.) A bill to legalize a certain road therein named;

Which was read the first second times.

Mr. Thomas moved that

No. 7, (A.) A bill to authorize the construction of a dam across Weaver's creek, in Waukesha county,

Be taken up, and that it and the petitions in reference thereto be referred to a select committee of three;

Which was agreed to.

The speaker appointed Messrs. Thomas, Colwell and Lowr, as said committee.

Mr. White moved that

No. 52, (S.) A bill supplementary to an act to incorporate the Milwaukee Mutual Fire Insurance company, approved December 27, 1837, and an act to amend an act to incorporate the Milwaukee Mutual Fire Insurance company, approved February 4th 1847,

Be taken from the table and returned to the general file;

Which was agreed to.

Mr. Cross presented the petition of J. B. Dousman and some 700 others, of the city of Milwaukee, praying that the law authorizing Thomas P. Williams and others to build a bridge across the Milwaukee river may be so amended and altered as to submit it to the legal voters of the city at their next charter election;

Referred to the delegation from the county of Milwaukee; also

Petition of A. Henry Bielfield and 200 others of the first ward of the city of Milwaukee, praying for the passage of a law authorizing the said ward to borrow money for the purpose of erecting a market house and to levy a special tax in said ward for the payment of the same;

Which was referred to a select committee, consisting of the delegation from the city of Milwaukee.

Mr. Clark presented the remonstrance of 90 citizens of the county of Marquette against any action of the legislature in relation to the county seat of said county;

Which was referred to the committee on town and county organization.

The pending question being on re-considering the vote by which the first amendment to No. 116, (A.) was rejected,

Having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Alden, Bowron, Briggs, Burns, Colwell, Cross, Daugherty, Gillilan, Hill, Kelsey, Kerr, Kuehn, Meade, O'Neil, Page, Parkinson, Pike, Reymert, Rickerson, Roys, Thomas, Toland, Townsend, Turck, Wasson, Young and Hobart (speaker.)—28.

Those who voted in the negative, were

Messrs. Ayres, Barber, Bird, Chase, Colley, Clark, Crandall, Crawford, Dick, Fagan, Flynn, Hastings, Hazard, Solon Johnson, Juneau, King, Leland, Lown, Martin, Noble, Nute, Phelps, Pope, Pratt, Rockwell, Thorp, Wells, White and Willard—29.

The speaker laid before the assembly the following communication from his Excellency the governor:

Executive Department,
March 9th, 1849.

To the Senate and Assembly:

I have to inform the legislature that Mr. Curtis Reed, member of the board of public works, on yesterday filed in this department his resignation as a member of said board. The duty therefore devolves upon the legislature to fill this vacancy, at the present session, under the law creating the board

NELSON DEWEY.

Mr. Daugherty, from the committee on engrossed bills, submitted the following report:

The committee on engrossed bills would report the following named bills as correctly engrossed, No. 112, (A.) A bill to declare the Fond du Lac river a navigable stream;

No. 124, (A.) A bill to appoint commissioners to lay out a road, and for other purposes;

No. 125, (A.) A bill for an act to legalize the proceedings of a school meeting held in school district No. 1, in the town of Waterloo, Jefferson county;

No. 114, (A.) A bill to establish a state road from Fond du Lac to Port Washington;

No. 111, (A.) A bill to organize the town of Vinland in Winnebago county.

No. 119, (A.) A bill to change the name of the village of Harazthy in Sauk county;

No. 107, (A.) A bill to declare part of a state road to be a lawful highway;

No. 113, (A.) A bill to declare certain roads in the town of Lisbon to be lawful highways;

No. 128 (A.) A bill to establish a state road from Neenah to Strong's Landing.

Under the rule adopted.

The assembly resolved itself into committee of the whole for the consideration of

No. 99, (S.) A bill in relation to highways and bridges.

Mr. Martin in the chair.

And after some time spent therein the committee rose, and by their chairman reported progress, and asked leave to sit again.

Leave was granted.

Mr. Roys, by leave, introduced

No. 150, (A.) A bill to provide for the publication of certain laws;

Which was read the first and second times.

Mr. Rickerson, by leave, introduced

No. 151, (A.) A bill for an act to organize a school district in the town of Sun Prairie, in Dane county;

Which was read the first and second times.

No. 116, (A.) A bill in relation to homicide,

Was ordered to be engrossed and read the third time.

On motion of Mr. Alden,

The assembly adjourned until half past two, P. M.

HALF PAST TWO O'CLOCK, P. M.

Petitions were presented and severally referred, as follows:

By Mr. Wells:

The petition of George C. Smith and others in relation to a tax in school district No. 2, in the town of Mukwonego, Waukesha county;

Referred to the committee on education and school lands.

By Mr. Dick:

The petition of William Weinsteid and others, in Calumet county, to organize the town of Killsnake valley in said county. Also

The petition of Joseph Cheesborough and others, in Calumet county, to be organized into a separate town; and

The remonstrance of Moody Mann and 39 others, inhabitants of the town of Stockbridge, in Calumet county, against the organization of said towns;

Referred severally to the committee on town and county organization.

The pending question being on the adoption of the resolution in relation to newapapers, introduced by Mr. Martin on the 7th March,

Mr. Thomas moved that the further consideration thereof be indefinitely postponed;

Which was agreed to.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Alden, Ayers, Bowron, Briggs, Chase, Colley, Clark, Crawford, Dick, Fagan, Flynn, Solon Johnson, Kerr, Keuhn, Leland, Page, Parkinson, Pope, Pratt, Reymert, Rickerson, Thomas, Townsend, Turck, Wells, Willard and Young—27.

Those who voted in the negative, were

Messrs. Barber, Bird, Burns, Colwell, Crandall, Daugherty, Gillilan, Hastings, Hazard, Hill, Kelsey, King, Lown, Martin, Noble, Nute, Phelps, Pierce, Pike, Rockwell, Roys, Thorp, Toland, Wasson, White and Hobart, (speaker)—26.

Mr. Thorp introduced

No. 152, (A.) A bill relating to justices of the peace and their jurisdiction;

Which was read the first and second times.

Mr. Cross, by leave, introduced

No. 153, (A.) A bill supplementary to an act to authorize Thomas P. Williams and others to build a bridge;

Which was read the first and second times, and

On motion of Mr. Cross,

Referred to the select committee consisting of the delegation from the county of Milwaukee.

Mr. Reymert, by leave, introduced

No. 154, (A.) A bill legalizing certain acts of notaries public;

Which was read the first and second times.

Mr. Kerr, by leave, introduced

No. 155, (A.) A bill to vacate part of the plot of the village Mukwongo, in the county of Waukesha;

Which was read the first and second times.

Mr. Rickerson, from the select committee, to whom had been referred

No. 84, (S.) A bill to appropriate to John T. Wilson, Seymour & Varney, Dean & Co., Timothy Robertson, James Helpin, H. A. Tenney, Henry C. Parker, and Thomas Dunn, the sums therein named;

Reported the same back without amendment, recommending the passage thereof.

A message from the senate by their chief clerk:

Mr. Speaker:

I am directed to inform you that the senate insists on its amendments to bill

No. 135, (A.) A bill to amend an act to provide for levying a state revenue, approved August 1st, 1848.

And has passed

No. 76, (A.) A bill providing for the assessment and collection of taxes,

With amendments.

In which the concurrence of the assembly is requested.

Messages from the senate were taken up.

No. 103, (S.) A bill relating to set offs, amendments, the action of ejectment, and the time of commencing actions, Was read the first and second times.

The question being on receding from the vote of the assembly on the amendment of senate to 135, (A.)

Having been put,

It was decided in the negative.

The 1st, 2nd, 3rd, 4th, 5th, 6th, 8th, 10th, 11th, 12th, 13th, 14th, 15th and 16th amendments of the senate to said bill No. 76, (A.)

Were severally concurred in.

The question being on concurring in the 7th amendment of the senate to said bill,

Mr. Barber moved to amend the amendment by filling the blank therein with the words "fifty" and "fifty-one;"

Which was agreed to.

The amendment as amended, was concurred in.

The question being on concurring in the ninth amendment of senate to said bill, which was, to restore sections 79, 80, 81, 82, 83 and 84,

Having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Alden, Ayers, Barber, Briggs, Burns, Colwell, Crandall, Daugherty, Dick, Fagan, Gillilan, Solon Johnson, Kerr, Keuhn, King, Meade, Nute, Parkinson, Phelps, Pierce, Pope, Pratt, Reymert, Rickerson, Roys, Townsend, Wasson, Wells, Willard and Hobart, (speaker,)—30.

Those who voted in the negative, were

Messrs. Bird, Bowron, Chase, Colley, Clark, Crawford, Flynn, Hazard, Hill, Kelsey, Lown, Martin, Page, Pike, Rockwell, Thomas, Thorp, Toland, White, and Young—20.

No. 74, (S.) An act to provide for the payment of the commissioners to revise the laws and their clerk the sums therein named,

Was read the third time.

And the question, "shall the bill pass?"

Having been put, (three fifths of the assembly being present,)

It was decided in the affirmative.

Those who voted in the affirmative were

Messrs. Alden, Ayres, Barber, Bowron, Briggs, Burns, Chase, Colwell, Clark, Crawford, Cross, Daugherty, Dick, Flynn, Gillilan, Hastings, Solon Johnson, Kerr, Keuhn, Leland, Lówn, Martin, Meade, Noble, Nute, Page, Parkinson, Phelps, Pope, Pratt, Reymert, Rickerson, Rockwell, Roys, Thomas, Thorp, Toland, Townsend, Wasson, Wells, White, Willard Young and Hobart, (speaker.)—44.

Those who voted in the negative, were

Messrs. Bird, Colley, Hazard, Hill, Kelsey, King, Pierce, and Pike—8.

The title of said bill was then agreed to.

No. 107, (A.) A bill to declare part of a state road to be a lawful highway;

No. 111, (A.) A bill to organize the town of Vinland, in Winnebago county;

No. 112, (A.) A bill to declare the Fond du Lac river a navigable stream;

No. 113, (A.) A bill to declare certain roads in the town of Lisbon to be lawful highways;

No. 114, (A.) A bill to establish a state road from Fond du Lac to Port Washington;

No. 119, (A.) A bill to change the name of the village of Haraszthy in Sauk county;

No. 124, (A.) A bill to appoint commissioners to lay out a road and for other purposes;

No. 125, (A.) A bill for an act to legalize the proceedings of a school meeting held in school district No. one, in the town of Waterloo, Jefferson county; and

No. 118, (A.) A bill to establish a state road from Neenah to Strong's landing;

Were severally read the third time, passed, and the titles thereof agreed to.

Mr. Martin moved that

No. 67, (S.) A bill to provide for the final settlement with the Milwaukee and Rock River canal company;

Be taken from the table,

Which was agreed to.

The said bill was then ordered to be read the third time.

The question being on ordering

No. 73, (A.) A bill to provide for the location of a states' prison;

To be engrossed and read the third time,

Mr. Alden moved to amend said bill, by striking out the enacting clause.

And the question on the adoption of said amendment

Having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Alden, Burns, Daugherty, Dick, Fagan, Flynn, Hazard, Kerr, Keuhn, Leland, Meade, Page, Parkinson, Phelps, Pierce, Pope, Pratt, Reymert, Rickerson, Rockwell, Roys, Thomas, Thorp, and Wasson.—24.

Those who voted in the negative, were

Messrs. Ayers, Barber, Bowron, Briggs, Chase, Colwell, Colley, Clark, Crandall, Crawford, Cross, Gillilan, Hastings, Hill, Solon Johnson, Kelsey, King, Lown, Martin, Nute, Pike, Toland, Townsend, Wells, White, Willard, Young and Hobart, (speaker)—27.

Mr. Alden moved that said bill be referred to a select committee of five;

Which was agreed to.

The speaker appointed Messrs. Alden, Barber, Kerr, Pope, and Keuhn, as said committee.

No. 68, (A.) A bill repealing all laws providing for the licensing of the sale of spirituous liquors;

Was ordered to be engrossed and read the third time.

The question being on ordering

No. 77, (S.). A bill to incorporate the Methodist Episcopal Church;

To be read the third time,

Mr. Noble moved to amend,

By inserting in second line of section one, after the word "appointed" the words "may hereafter be chosen and appointed;"

Which was agreed to.

Mr. Noble moved farther to amend,

By inserting in the 15th line of section one, after the words "to use," the words "or to sell and to convey;"

Which was agreed to.

Mr. Noble moved further to amend,

By striking out in section two, the word "recorded," and insert the words "filed for record ;"

Which was agreed to.

Mr. Noble moved further to amend,

By striking out in section three, the word "recorded," and insert "and filed for record ;"

Which was agreed to.

The said bill was then ordered to be read the third time.

No. 118, (A.) A bill in relation to the time for holding the several circuit courts of the state of Wisconsin ;

Was ordered to be engrossed and read the third time.

The question being on ordering

No. 127, (A.) A bill to amend an act entitled an act to provide for the improvement of the Fox and Wisconsin rivers, and connecting the same by a canal, approved August 8th, 1848;

To be engrossed and read the third time,

Mr. Bowron moved to amend said bill, by striking out section five,

Which was agreed to.

Mr. Clark moved to amend,

By striking out the word "aforesaid" in the first line of section four; and insert before the word "lands" the word "reserved ;"

Which was agreed to.

Mr. Townsend moved to amend,

By striking out in the third section the words, "six months" and insert "one year ;"

Which was disagreed to.

The said bill was thereupon ordered to be engrossed and read the third time,

Mr. Cross by leave, introduced

No. 156, (A.) A bill to authorize the aldermen of the first ward of the city of Milwaukee to levy a special tax to raise money for the purpose of erecting a market house in said ward; also

No. 7, (A.) Joint resolution relative to seals ;

Which were severally read the first and second times.

Mr. Cross moved that said bill No. 156, (A.) be laid upon the table ;

Which was agreed to.

Mr. Barber by leave, introduced

No. 157, (A.) A bill to enable the town of Beaver Dam in the county of Dodge, to raise a sum therein named, by tax;

Which was read the first and second times.

Mr. Burns by leave, introduced

No. 159, (A.) An act to authorize school district No. two in the town of Muquanego to renew a tax warrant;

Which was read the first and second times.

Mr. Cross moved that the vote by which No. 118, (A.) was ordered to be engrossed and read the third time, be re-considered;

Which was agreed to.

The question being on ordering said bill to be engrossed and read the third time,

Mr. Cross moved that said bill be be referred to the committee on compiling the laws;

Which was agreed to.

Mr. Kelsey presented

The account of E. R. Utter against the state for newspapers furnished the legislature.

Mr. Reymert presented an account against the state for newspapers.

Mr. Martin presented

The account of S. M. Booth against the state for newspapers.

Mr. Burns presented

The account of Levi Sterling against the state for keeping prisoners;

Which were severally referred to the committee on claims.

On motion of Mr. Noble,

The assembly adjourned.

SATURDAY, March 10th, 1849.

Prayer by the Rev. Mr. Read.

Mr. Burns moved that the rules be suspended, and that

No. 143, (A.) A bill relating to real estate, wills, executors and administrators;

No. 145, (A.) A bill concerning oaths; and

No. 146, (A.) A bill relative to recording town plats,

Be read the third time and put upon their passage;

Which was agreed to.

The said bills were severally read the third time, passed, and the titles thereof agreed to.

No. 103, (S.) A bill relating to set offs, amendments, the action of ejectment, and the time of commencing actions,

Was ordered to be read the third time.

Mr. Burns moved that the vote by which said bill was ordered to its third reading, be re-considered,

And the question being on the adoption thereof,

Having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Burns, Fagan, Flynn, Solon Johnson, Noble. O'Neil, Parkinson, Phelps, Pierce, Pope, Rickerson, Wasson, and White—13.

Those who voted in the negative were

Messrs. Alden, Ayers, Barber, Bird, Bowron, Briggs, Chase, Colwell, Colley, Clark, Crandall, Crawford, Daugherty, Dick, Gillilan, Hastings, Hazard, Hill, Juneau, Kelsey, Kerr, Keuhn, King, Leland, Lown, Martin, Nute, Page, Pike, Pratt, Reymert, Roys, Thomas, Thorp, Toland, Townsend, Wells, Willard, Young, and Hobart, (speaker,)—39.

The rules having first been suspended,

The said bill was then read the third time, passed, and the title thereof agreed to.

A message from the senate by their chief clerk:

MR. SPEAKER:

I am directed to request the assembly to return to senate for fur further action, bill

No. 46, (A.) A bill to appropriate to Daniel Noble Johnson the sum therein named.

I am also directed to inform you that the senate has passed

No. 129, (A.) A bill to amend an act entitled "an act to establish the times of holding circuit courts," approved August 19th, 1848;

With an amendment.

In which the concurrence of the assembly is requested.

The said message was then taken up.

The said bill No. 46, (A.) was directed to be returned to the senate.

The amendment of senate to said bill No. 129, (A.) was concurred in.

Mr. Wells moved that the rules be suspended, and

No. 155, (A.) A bill to vacate part of tha plot of the village Mukwonego, in the county of Waukesha; and

No. 158, (A.) An act to authorize school district No. two in the town of Muquanego to renew a tax warrant;

Be read the third time and passed now;

Which was agreed to.

The said bills No. 155 and 158, (A.) were severally read the third time, passed, and the titles thereof agreed to.

Mr. Kerr, from the committee on enrolled bills, submitted the following report:

The committee on enrolled bills report that they have examined

No. 96, (S.) A bill for an act to authorize the board of supervisors of Dane county to borrow money to build a court house and to purchase a site for the same;

No. 89, (S.) A bill prescribing certain duties to be performed by the clerks of counties under the county commissioner system of government;

No. 76, S. A bill to amend an act entitled an act to incorporate the Merchant's Mutual Insurance company of Milwaukee;

No. 7, (S.) Joint resolutions relating to a proposed amendment to the constitution of the United States, concerning the election of senators in congress;

No. 110, (A.) A bill to authorize the construction of a wharf on the Milwaukee river;

No. 58, (A.) A bill to restore the name and rights of the Prairieville Academy;

No. 55, (A.) A bill to declare certain roads in the town of Emmett to be lawful highways;

No. 5, (A.) Memorial to congress for an appropriation of land to aid in the construction of a rail road from Milwaukee to the Mississippi river;

No. 70, (S.) A bill to enable the city of Milwaukee to aid in the construction of a rail-road from that city to the Mississippi river,

And find them correctly enrolled.

The said bills were thereupon signed by the speaker and transmitted to the senate.

Mr. Daugherty, from the committee on engrossed bills, reported

As correctly engrossed

No. 116. (A.) A bill in relation to homicide; and

No. 130, (A.) A bill to amend an act entitled "an act to incorporate the Lake Michigan and Mississippi rail road company, approved Feb. 4th, 1847;

The said bill No. 130, (A.) was read the third time, passed and the title thereof agreed to.

The said bill, No. 116, (A.)

Was read the third time.

And the question being on the passage thereof,

Mr. Martin moved that said bill be laid upon the table.

And the question on the adoption of said motion,

Having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Ayers, Colwell, Clark, Flynn, Hazard, Solon Johnson, Lown, Martin, Phelps, Pope, Pratt, and Rockwell—12.

Those who voted in the negative were

Messrs. Alden, Barber, Bird, Bowron, Briggs, Burns, Chase, Colley, Crawford, Daugherty, Dick, Fagan, Gillilan, Hastings, Hill, Juneau, Kelsey, Kerr, Keuhn, King, Leland, Meade, Noble. Nute, O'Neil, Page, Parkinson, Pierce, Pike, Reymert Rickerson, Roys, Thomas, Thorp, Toland, Townsend, Turck, Wasson, Wells, White, Willard, Young, and Hobart, (speaker,) —43.

And the question, "shall the bill pass?"

Having been put,

It was decided in the affirmative.

Those who voted in the affirmative were

Messrs. Ayres, Barber, Bird, Chase, Colley, Clark, Crawford, Dick, Fagan, Flynn, Hazard, Solon Johnson, Juneau, King, Leland, Lown, Martin, Noble, Nute, Parkinson, Phelps, Pope, Pratt, Rockwell, Roys, Thorp, White, and Willard—28.

Those who voted in the negative, were

Messrs. Alden, Bowron, Burns, Colwell, Daugherty, Gillilan, Hastings, Hill, Kelsey, Kerr, Keuhn, Meade, O'Neil, Page, Pierce, Pike, Reymert, Rickerson, Thomas, Toland, Townsend, Tuack, Wasson, Wells, Young and Hobart, (speaker.)—26.

Mr. Toland introduced the following resolution, which was adopted;

Resolved, That the state treasurer, be, and he is hereby required to report immediately to this house, the amount received from each county in the state, showing the sum received in specie, and that in paper, and the character and date of such paper or scrip, and to whom issued. Also the balance due from each delinquent county, and the year or years for which such balance became due. He is also required to report, as above, the amounts disbursed by him, and to whom, showing the actual balance on hand in gold or silver.

Mr. Burns moved that the rules be suspended, and that

No. 126, (A.) A bill concerning the nature of estates in lands and of uses and trusts,

Be read the third time and passed, now;

Which was agreed to.

The said bill was then read the third time, passed, and the title thereof agreed to.

Mr. Martin moved that the rules be suspended, and that

No, 67, (S.) A bill to provide for a final settlement with the Milwaukee and Rock river canal company,

Be taken up;

Which was agreed to.

Mr. Alden moved that said bill be laid upon the table;

Which was disagreed to.

Mr. Martin moved that the rules be suspended, and that the said bill be read third time and passed now;

Which was disagreed to.

The said bill was then ordered to be read the third time.

On motion of Mr. Barber,

The assembly resolved itself into committee of the whole for the consideration of

No. 99, (S.) A bill in relation to highways and bridges;

Mr. Barber in the chair.

And after some time spent therein the committee rose, and by their chairman reported progress, and asked leave to sit again. Leave was granted.

Mr. Kerr, from the committee on enrolled bills, reported as correctly enrolled,

No. 129, (A.) A bill to amend an act entitled an act to establish the times of holding circuit courts, approved August 19th, 1848.

Mr. Daugherty introduced the following resolution, which was adopted:

Resolved, That the committee on education and school lands, be, and they are hereby directed to report to this house as soon as possible, whether there is any money in the different land offices of this state, belonging to the school fund, and if so what amount.

Mr. Cross, from the committee on compiling the laws, reported

No. 160. (A.) A bill to provent forcible entries and unlawful detainer;

No. 161, (A.) A bill for the relief of persons confined in jail on civil process;

No, 162, (A.) A bill on mechanics lien;

No. 163, (A.) A bill concerning proceedings in chancery; and

No. 164, (A.) A bill relative to seals;

Which were severally read the first and second times.

Mr. Thomas, by leave, introduced

No. 165, (A.) A bill declaring Fox river in the town of Menomonee to be a navigable stream; and

No. 166, (A.) A bill to authotize the old abolition party of the town of Lisbon to hold caucusses, and to adopt their own constitution with all its rights and privileges;

Which were severally read the first and second times.

Mr. Meade presented a remonstrance of the citizens of the south-western portion of Brown county, against taking certain towns from said county and attaching them to Winnebago county;

Which was referred to the committee on town and county organization.

Mr. Meade, also, gave notice that he would on some future day ask leave to introduce

A bill for an act to change the time for holding circuit courts in the county of Brown;

A bill for an act to incorporate a company to construct a road from lake Winnebago to the foot of Grand Kaukalin rapids;

A memorial to congress concerning the lands granted to aid in the improvement of the Fox and Wisconsin rivers, and to connect the same by a canal;

A bill for an act to organize the town of Grand Chute;

A bill for an act to incorporate a company to construct a canal from Wolf river to the Grand Chute in Brown county; and

A bill for an act to authorize the county of Brown to collect certain taxes.

On motion of Mr. Wells,

The assembly adjourned until half past two, P. M.

HALF PAST TWO O'CLOCK, P. M.

Mr. Chase introduced the following resolution, to wit:

Resolved, by the senate and assembly, That the superintendent of public property be instructed to cause the capitol to be insured against damage from fire, to the amount of twenty thousand dollars.

Mr. Burns moved that said resolution be laid upon the table;

Which was agreed to.

Mr. Dick gave notice that on Monday or some future day he would ask leave to introduce a bill to organize the county of Calumet for judicial purposes.

Mr. Roys, from the committee on town and county organization, reported

No. 167, (A.) A bill to alter the boundaries of the town of Milford, in Jefferson county;

Which was read the first and second times.

No. 77, (S.) A bill to incorporate the Methodist Episcopal Church;

Was read the third time, passed, and the title thereof agreed to.

Mr. Crawford, from the committee on medical colleges and medical societies, submitted the following report, which was accepted:

The committee on medical colleges and medical societies, to whom was referred the petition of Wm. C. Allen and 101 others, of Walworth county, praying for a law regulating the sale of medical compounds, respectfully report that the object of the petitioners will be accomplished by the passage of bill No. 70, (A.)

J. C. CRAWFORD, *Ch'n.*

Also, the same committee to whom was referred bill

No. 70, (A.) A bill to prevent imposition in the sale of medicines;

Report the same back with amendments, and recommend its passage.

J. C. CRAWFORD, *Ch'n.*

No. 67, (S.) A bill to provide for the final settlement with the Milwaukee and Rock River canal company;

Was read the third time.

And the question, "shall the bill pass?"

Having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Alden, Ayres, Barber, Chase, Colwell, Colley, Clark, Dick, Fagan, Gillilan, Hastings, Solon Johnson, Juneau, Kelsey, Kerr, Kuehn, King, Leland, Martin, Nute, O'Neil, Parkinson, Pratt, Reymert, Rickerson, Rockwell, Roys, Townsend, Wells, and Willard,—30.

Those who voted in the negative, were

Messrs. Bird, Bowron, Briggs, Burns, Crawford, Hazard, Hill, Lown, Page, Phelps, Pierce, Pike, Pope, Thorp, Toland, Turck, Wasson, Young, and Hobart, (speaker,)—19.

No. 72, (S.) A bill to appropriate to William R. Smith the sum therein named;

No. 97, (S.) A bill to change the name of the village of Milford in Green county,

Were severally ordered to be read the third time.

No. 7, (A.) A memorial to the president of the United States asking that measures may be taken to prevent depredations by Indians.

The question being on ordering

No. 131, (A.) A bill to organize the town of La Prairie in the county of Rock;

To be engrossed and read the third time,

Mr. Colley moved that said bill be laid upon the table;

Which was agreed to.

The question being on ordering

No. 6, (S.) A bill to repeal an act in relation to mills and mill dams;

To be read the third time,

Mr. Barber moved that said bill be laid upon the table:

Which was agreed to.

No. 132, (A.) A bill declaring a certain road in the town of Rosendale in Fond du Lac county to be a lawful highway;

No. 133, (A.) A bill in relation to certain school districts in Fond du Lac county;

No. 134, (A.) A bill to legalize the acts of certain town officers of the town of Spring Prairie, and to declare a road therein described a lawful highway; and

No. 136, (A.) A bill to prevent the issue of scrip, certificates, and other evidences of debt by the officers of the state;

Were severally ordered to be engrossed and read the third time.

On motion of Mr. Burns,

The assembly resolved itself into committee of the whole on

No. 37, (S.) A bill to amend an act entitled "an act to provide for the improvement of the Fox and Wisconsin rivers, and connecting the same by a canal, approved August 8th, 1848;

Mr. Kelsey in the chair.

And after some time spent therein the committee rose and by their chairman reported the said bill back to the assembly

Without amendment.

Mr. Solon Johnson by leave, introduced

No. 168, (A.) A bill to incorporate the city of Port Washington;

Which was read the first and second times.

Mr. Bird by leave, introduced

No. 169, (A) A bill relative to the State University;

Which was read the first second times.

Mr. Townsend by leave, introduced

No. 170, (A.) A bill to alter a road in Winnebago county;

Which was read the first and second times.

Mr. Burns by leave, introduced

No. 171, (A.) A bill in relation to the right of pre-emption on the school and university lands;

Which was read the first and second times.

Mr. Cross, from the majority of the select committee to whom the same had been referred, reported back to the assembly

No. 153, (A.) A bill supplementary to an act to authorize Thomas P. Williams and others to build a bridge;

Without amendment, recommending the passage thereof.

Mr. White gave notice that on Monday or some future day he would ask leave to introduce

A bill relating to Milwaukee county.

Mr. Kerr, from the committee on enrolled bills, submitted the following report:

The committee on enrolled bills, report that they this day presented to his excellency the governor for his approval,

A memorial to congress for an appropriation of land to aid in the construction of a rail road from Milwaukee to the Mississippi river;

An act to restore the name and rights of Prairieville Academy;

An act to amend an act entitled "an act to establish the times of holding circuit courts, approved August 19th, 1848;"

An act to declare certain roads in the town of Emmett to be a lawful highway;

An act to authorize the construction of a wharf in the city of Milwaukee;

An act prescribing certain duties to be performed by the clerks of counties under the county commissioner system of government;

An act to amend an act entitled an act to incorporate the Merchants' Mutual Insurance Company of Milwaukee;

An act to enable the city of Milwaukee to aid in the construction of a railroad from that city to the Mississippi river;

An act to authorize the board of supervisors of Dane county to borrow money to build a court house, and to purchase a site for the same:

Joint resolutions relative to a proposed amendment to the constitution of the United States, concerning the election of senators in congress.

A message from the senate by their chief clerk:

Mr. SPEAKER:

I am directed to inform you that the senate has passed

No. 36, (S) A bill to provide for the election of a librarian and to prescribe his powers and duties;

No. 106, (S.) A bill to provide for the publication of the Revised Statutes of this State;

In which the concurrence of the assembly is requested.

And has concurred in the passage of

No. 29, (A.) A bill to cede jurisdiction to the United States over lands to be occupied as sites of light houses within this State;

No. 99, (A.) An act to prevent obstructions in Black river;

No. 97, (A.) A bill for an act to authorize the apportionment of school monies to district No. 10, in the town of Lima and Johnstown, in the county of Rock:

No. 95, (A.) A bill to amend the charter of the city of Racine;

No. 155, (A.) A bill to vacate part of the plat of the village of Mukwonego, in the county of Waukesha;

No. 158, (A,) An act to authorize school district No. two, in the town of Mukwonego to renew a tax warrant;

No. 130, (A.) A bill to amend an act entitled an act to incorporate the Lake Michigan and Mississippi rail road company, approved Feb. 4th, 1847;

Without amendments.

And has concurred in the passage of

No. 98, (A.) A bill in relation to the law of roads, and the regulation of public carriages;

With amendments.

In which the concurrence of the assembly is requested.

And has concurred in the amendments of assembly to the 7th amendment of senate to bill

No. 76, (A.) A bill in relation to the assessment and collection of taxes;

And that senate has appointed

Messrs. Norton and Murphy a committee of conference on the part of the senate on the disagreeing vote of the two houses on the amendments of senate to bill

No. 135, (A.) A bill to amend an act to provide for levying a state revenue, approved Aug. 1st, 1848.

And the question being on ordering said bill

No. 37, (S.) A bill to amend an act entitled an act to provide for the improvement of the Fox and Wisconsin rivers, and connecting the same by a canal, approved August 8th, 1848.

To be read the third time,

Mr. Townsend moved to amend said bill, by striking out the fourth section;

Which was agreed to.

Mr. Cross moved to amend said bill, by striking out the enacting clause.

The question still pending,

On motion of Mr. Noble,

The assembly adjourned.

MONDAY, March 12th, 1849.

Prayer by the Rev. Mr. Penman.

Mr. Barber moved that bills

No. 102, (A.) A bill in relation to the formation of corporations, for manufacturing, lumbering, mechanical and chemical purposes.

No. 117, (A.) A bill in relation to crimes and the punishment therefor;

Be taken from the table and returned to the general file;

Which was agreed to.

On motion of Mr. Barber,

The assembly resolved itself into committee of the whole for the further consideration of

No. 99, (S.) A bill in relation to highways and bridges;

Mr. Barber in the chair.

And after some time spent therein the committee rose and by their chairman reported the said bill back to the assembly

With sundry amendments.

The question being on concurring in the amendment of the committee of the whole to section 30 of said bill, which was

Strike out "three" and insert "one" in the first line of said section;

Having been put,

It was decided in the negative.

And the question being on concurring in the amendment made to section 22, which was

To strike out the words "excepting persons of color,"

Having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Barber, Bird, Colley, Crandall, Dick, Fagan, Flynn, Hastings, Kelsey, Lown, Martin, Page, Phelps, Pike, Pratt, Reymert, Rockwell, Thomas, White, Willard, and Young,—21.

Those who voted in the negative were

Messrs. Alden, Ayers, Bowron, Burns, Chase, Colwell, Clark, Crawford, Daugherty, Gillilan, Hazard, Hill, Solon Johnson, Kerr, Keuhn, King, Meade, Noble, Nute, Parkinson, Pierce, Pope, Rickerson, Thorp, Toland, Townsend, Turck, Wasson, Wells, and Hobart, (speaker.)—30.

The question being on concurring in the amendment of the committee of the whole to section 97 and 98, which was

To strike out sections 67 and 98,

Having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Alden, Chase, Colwell Clark, Daugherty, Fagan, Flynn, Hazard, Hill, Juneau, Kerr, Kuehn, King, Martin, Meade, Noble, Phelps, Reymert, Rickerson, Thomas, Thorp, Toland, Wasson, Wells, White, and Hobart, (speaker,)—26.

Those who voted in the negative, were

Messrs. Ayres, Barber, Bird, Bowron, Burns, Colley, Crawford, Dick, Gillilan, Hastings, Kelsey, Lown, Nute, Page, Parkinson, Pierce, Pike, Pope, Pratt, Rockwell, Townsend, Turck, Willard, and Young—23.

The remaining amendments of the committee of the whole to said bill were collectively concurred in.

Mr. Bowron moved that

No. 37 (S.) A bill to amend an act entitled an act to provide for the improvement of the Fox and Wisconsin rivers and connecting the same by a canal, approved August 8th, 1848;

Be taken up;

Which was agreed to.

Mr. Noble moved that said bill be referred to a select committee of five;

Which was agreed to.

The speaker appointed Messrs Noble, Townsend, Clark, Burns, and Bowron as said committee.

Mr. Noble introduced the following resolution, which was adopted, to wit:

Resolved, by the senate and assembly, That the secretary of state be authorized and directed to credit Sheboygan county the sum of one hundred and eighty-eight 44-100 dollars, that being the amount of error in footing up the assessment roll by the clerk of said county, as appears by the corrected return from said clerk.

Mr. Noble moved that said resolution be referred to the committee on claims;

Which was agreed to.

Messages from the senate were taken up.

No. 36, (S.) A bill to provide for the election of a librarian and to prescribe his powers and duties; and

No. 106, (S.) A bill to provide for the publication of the revised statutes of this state;

Were read the first and second times.

Mr. Clark moved that said bill, No. 106, (S.) be referred to a select committee of five;

Which was agreed to.

The speaker appointed Messrs. Clark, White, Turck, Reymert, and Burns, as said committee.

The amendments of the senate to

No. 98, (A.) A bill in relation to the law of roads and the regulation of public carriages;

Were non-concurred in.

A message from the senate by their chief clerk:

MR. SPEAKER:

I am directed to inform you that the senate has passed

No. 102, (S.) A bill to incorporate the first Christian society in the town of Monroe, in Green county.

In which the concurrence of the assembly is requested.

And has concurred in the passage of

No. 46 (A.) A bill to appropriate to Daniel Noble Johnson the sum therein named;

No. 96, (A.) A bill for an act to legalize the proceedings of a school meeting held in school district number two, in the town of Medina, in Dane county, and to raise an additional tax to build a school house;

Without amendment.

And has amended bill

No. 50 (A.) A bill to repeal an act to change the boundaries of the towns of Bristol and Paris, in Racine county;

By striking out all after the enacting clause.

On motion of Mr. Noble,

The assembly adjourned until half past two, P. M.

HALF PAST TWO O'CLOCK, P. M.

To the Hon. H. C. Hobart, Speaker of the Assembly:

STATE TREASURER'S OFFICE,
Madison, March 12, 1849.

A resolution from your house calling for information in relation to the indebtedness of the several counties in the state, and the present state of the funds in the treasury, was received, to which I hasten to respond:

The records showing the amounts due from the several counties are not kept in my office, will prevent my giving the information called for on that point.

The amount of receipts and disbursements by me, and the kind and date of state indebtedness received, together with all the particulars, will be furnished at the earliest possible moment, but as the report must necessarily be somewhat lengthy, I would suggest that as the information was called for "immediately," perhaps it might be more readily obtained by sending down a committe to examine my books and vouchers and their dates.

With great respect,
Your humble servant,
J. C. FAIRCHILD.
State treasurer.

Mr. Kerr, from the committee on enrolled bills, submitted the following report, to wit;

The committee on enrolled bills respectfully report, that they have examined

No. 74 (S.) an act to provide for the payment of the commissioners to revise the laws and their clerks the sums therein named;

No. 67, (S.) A bill to provide for a final settlement with the Milwaukee and Rock River Canal Company;

And find them correctly enrolled.

The said bills were thereupon signed by the speaker and transmitted to the senate.

The speaker laid before the assembly a communication from the governor, which was read as follows, to wit:

EXECUTIVE DEPARTMENT,
March 12th, 1849.

To the Assembly:

Acts of the following titles, to wit:

An act to declare certain roads in the town of Emmet to be lawful highways;

An act to amend an act entitled "an act to establish the time of holding circuit courts, approved august 19th, 1648;

An act to restore the name and rights of the Prairieville academy; and

An act to authorize the construction of a wharf in the city of Milwaukee;

Were on the 10th inst., approved, and signed by me, and deposited in the office of the secretary of state,

NELSON DEWEY.

Messages from the senate were taken up.

No. 102, (S.) A bill to incorporate the First Christian Society in the town of Monroe, Green county;

Was read the first and second times.

The amendment of the senate to

No. 50, (A.) A bill to repeal an act to change the boundaries of the towns of Paris and Bristol in the county of Racine;

Which was to strike out all after the enacting clause,

Was concurred in.

No. 72 S. (A) bill to appropriate to Wm. R. Smith the sum therein named;

Was read the third time.

And the question, "shall the bill pass?"

Having been put, (three fifths of the assembly being present,)

It was decided in the affirmative.

Those who voted in the affirmative were

Messrs. Ayers, Burns, Chase, Colwell, Clark, Crawford, Dick, Fagan, Flynn, Hazard, Hill, Solon Johnson, Juneau Kein, Keuhn, King, Martin, Nute, Parkinson, Pierce, Pike, Pope, Pratt, Reymert, Rickerson, Rockwell, Toland, Townsend, Turck, Wasson, Wells, White, Willard, Young, and Hobart, (speaker,)—35.

Those who voted in the negative, were

Messrs. Bowron, Colley, Crandall, Kelsey, Lown, Page, and Thorp, —7.

The title of said bill was then agreed to,

No. 97, (S.) A bill to change the name of the village of Milford in Green county;

Was read the third time, passed, and the title thereof agreed to.

On motion of Mr. Crawford,

The assembly resolved itself into committee of the whole for the consideration of the general file of bills,

Mr. Crawford in the chair.

And after some time spent therein the committee rose and by their chairman reported back to the assembly

No. 153, (A.) A bill, supplementary to an act to authorize Thomas P. Williams and others to build a bridge;

No. 152, (A,) A bill relating to justices of the peace and their jurisdiction;

No. 150, (A.) A bill to provide for the publication of certain laws; and

No. 20, (S.) A bill to establish a state road through a part of Iowa, Richland and Sauk counties;

With amendments.

No. 157, (A.) A bill to enable the town of Beaver Dam in the county of Dodge, to raise a sum therein named, by tax;

No. 170, (A.) A bill to alter a road in Winnebago county.

No. 154, (A.) A bill legalizing certain acts of notaries public;

No, 138, (A.) An act to amend an act supplementary to an act to incorporate the Milwaukee and Waukesha rail road company, approved March 11, 1848, and an act to incorporate the Milwaukee and Waukesha rail road company, approved Feb. 11, 1847;

No. 166, (A.) A bill to authorize the old abolition party of the town of Lisbon to hold caucusses and adopt their old constitution with all its rights and privileges.

No. 151, (A.) A bill for an act to organize a school district in the town of Sun Prairie, in Dane county;

No. 149, (A.) A bill to legalize a certain road therein named;

No. 52, (S.) A bill supplementary to an act to incorporate the Milwaukee Mutual Fire Insurance Company, approved December 27, 1837, and an act to amend an act to incorporate the Milwaukee Mutual Fire Insurance Company, approved February 7th, 1847;

No. 142, (A.) A bill to repeal an act entitled an act to amend an act to organize school district No 1, in Fond du Lac for special purposes, approved Feb. 10, 1847, and all other acts relating to the same subject;

No. 148, (A.) A bill to amend an act, approved August 19th, 1848, entitled an act to organize the several towns therein named;

No. 3, (S.) Joint resolutions relating to public lands;

No. 7, (A.) Joint resolution relative to seals.

No. 165, (A.) A bill declaring Fox river in the town of Menomonee to be a navigable stream; and,

No. 167, (A.) A bill to alter the boundaries of the town of Milford, in Jefferson county;

Without amendment.

The said bills, Nos. 138, 167, 151, 149, 7, 148, and 142, (A.) were severally ordered to be engrossed and read the third time.

The question being on concurring in the amendment to said bill No. 153, (A.)

Mr. Cross moved that said bill be laid upon the table;

Which was agreed to.

The amendment of the committee of the whole to said bill No. 150, (A.) which was to strike out all after the enacting clause,

Was concurred in.

The amendment to said bill No. 20, (S.)

Was concurred in.

And said bill ordered to be read the third time.

The question being on concurring in the amendment to said bill No. 152, (A.)

Mr. Wells moved that said bill be laid upon the table;

Which was agreed to,

The question being on ordering said bill No. 157, (A.) to be engrossed and read the third time,

Mr. Barber moved that said bill be laid upon the table;

Which was agreed to.

The question being on ordering said bill No. 170, (A.) to be engrossed and read the third time,

Mr. Clark moved that said bill be referred to the committee on roads, bridges and ferries;

Which was agreed to.

The question being on ordering said bill No. 154, (A.) to be engrossed and read the third time,

Mr. Barber moved that said bill be referred to the committee on the judiciary;

Which was agreed to.

The substitute of the committee of the whole to said bill No. 166, (A.)

Was adopted.

And the question being on ordering the said bill to be engrossed and read the third time,

Mr. Wells moved to amend by adding:

Sec. —— Any person or persons being a resident on any of the lands specified in this act, who shall be indebted to the state or territory secured by mortgage on their land, as shall appear from the records thereof now in the secretary's office, may pay to the state treasurer the amount of principal and interest due thereon, and the state treasurer shall execute and deliver to such person a receipt therefor stating that it is in full for the amount due on the said mortgage, and the attorney general is hereby authorized on the delivery to him of any such receipt to discharge said mortgage according to law.

Sec. —— Any person or persons owning a divided or undivided interest in lands, on which the territory or state now holds a mortgage, on paying up the amount due principal and interest, shall be discharged on the mortgage for such portion of land as may be held by him or them.

The question on the adoption of said amendment

Having been put,

It was decided in the affirmative.

The question being on ordering said bill to be engrossed and read the third time,

Mr. Cross moved that said bill be referred to the committee on the judiciary;

Which was agreed to.

The question being on ordering said bill No. 165, (A.) to be engrossed and read the third time,

Mr. Thomas moved that said bill be referred to a select committee of three;

Which was agreed to.

The speaker appointed Messrs. Thomas, Hill and Turck as said committee.

The said bill No. 52, (S.) was ordered to be read the third time.

Mr. Noble asked to be excused from serving on the select committee to whom was referred No. 37, (S.)

Which was agreed to.

The speaker appointed Mr. Daugherty to fill the place of Mr. Noble.

Mr. Kerr, from the committee on enrolled bills, submitted the following report, to wit;

The committee on enrolled bills respectfully report, that they have examined

No. 97, (A.) A bill for an act to authorize the apportionment of school monies to district No. 10, in the town of Lima and Johnstown, in the county of Rock:

No. 158, (A.) An act to authorize school district No. two, in the town of Mukwonego to renew a tax warrant;

No. 95, (A.) A bill to amend the charter of the city of Racine;

No. 130, (A.) A bill to amend an act entitled an act to incorporate the Lake Michigan and Mississippi rail road company, approved Feb. 4th, 1847;

No. 155, (A.) A bill to vacate part of the plat of the village of Mukwonego, in the county of Waukesha;

No. 25, (S.) A bill to amend an act entitled an act to incorporate the city of Milwaukee and acts amendatory thereto;

And find them correctly enrolled.

The said bills were thereupon signed by the speaker and transmitted to the senate.

On motion of Mr. Clark,

The assembly adjourned.

TUESDAY, March 13th, 1849.

Prayer by the Rev. Mr. Lord.

Mr. Hastings introduced the following resolution, which was adopted, to wit:

Resolved, That the enrolling and examining committee appointed to act upon the bills reported by the revisors, and the committee on compilation of the laws, have leave to sit during the sessions of the assembly.

Mr. Clark, from the majority of the select committee, to whom was referred

No. 106, (S.) A bill to provide for the publication of the Revised Statutes of this state;

Reported said bill back to the assembly, with an amendment.

Mr. Clark, from the committee on roads, bridges, and ferries, reported

No. 172, (A.) A bill to change the name of the town of Lexington and village of Dartford, and to vacate the alleys in said village;

Which was read the first and second times.

Mr. Clark, by notice, introduced

No. 173, (A.) A bill to alter the boundaries of certain towns in the county of Marquette;

Which was read the first and second times.

Mr. Colley moved that

No. 150, (A.) A bill to provide for the publication of certain laws,

Be taken from the table and referred to a select committee of three;

Which was agreed to.

The speaker appointed Messrs. Colley, Hill and Barber, as said committee.

A message from the governor:

EXECUTIVE DEPARTMENT,
March 12th, 1849.

To the Assembly:

I have this day, approved, signed and deposited in the office of secretary of state, acts of the following titles, to wit:

An act to authorize school district number two, in the town of Mukwonego, to renew a tax warrant;

An act to vacate a part of the village of Mukwonego, in the county of Waukesha;

An act to amend an act, entitled "an act to incorporate the Lake Michigan and Mississippi rail road company," approved February 11th, 1847;

An act to amend an act to incorporate the city of Racine; and

An act to authorize the apportionment of school money to district No. 10, in the towns of Lima and Johnstown in the county of Rock.

NELSON DEWEY.

A message from the senate by their chief clerk:

MR. SPEAKER:

I am directed to inform you that the senate has concurred in the passage of

No. 48, (A.) A bill to repeal an act to change the boundaries of the towns of Utica and Rushford in the county of Winnebago;

No. 84, (A.) A bill to change the name of the town of Butte des Mortes, in the county of Winnebago;

No. 112, (A.) A bill to declare the Fond du Lac river a navigable stream;

No. 113, (A.) A bill to declare certain roads in the town of Lisbon to be lawful highways;

No. 114, (A.) A bill to establish a state road from Fond du Lac to Port Washington;

No. 119, (A.) A bill to change the name of the village of Harazthy in Sauk county;

No. 120, (A.) A bill to organize the town of Chili, in the county of Fond du Lac;

No. 125, (A.) A bill for an act to legalize the proceedings of a school meeting held in school district No. 1, in the town of Waterloo, Jefferson county;

No. 126, (A.) A bill concerning the nature of estates in lands and of uses and trusts;

No. 128 (A.) A bill to establish a state road from Neenah to Strong's Landing;

No. 143, (A.) A bill relating to real estate, wills, executors, and administrators;

No. 146, (A.) A bill relative to recording town plats;

Without amendments, and has concurred in the passage of

No. 145, (A.) A bill concerning oaths;

With an amendment.

In which the concurrence of the assembly is requested.

Mr. Solon Johnson moved that

No. 168, (A.) A bill to incorporate the city of Port Washington, Be taken from the table and referred to a select committee of three;

Which was agreed to.

The speaker appointed Messrs. Solon Johnson, Parkinson and Pike as said committee.

Mr. Townsend moved that

No. 108, (A.) A bill to divide the town of Brighton in the county of Winnebago,

Be taken from the table and returned to the general file;

Which was agreed to.

Mr. Kerr, from the committee on enrolled bills, reported as correctly enrolled,

No. 32, (S.) A bill relating to common schools;

The pending question being on ordering

No. 99, (S.) A bill in relation to highways and bridges;

To be read the third time,

Mr. Hazard moved that the vote by which the amendment of the committee of the whole, striking out sections 97 and 98, was concurred in, be re-considered; which was agreed to.

The question then being on concurring in the said amendment,

Having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Alden, Bird, Bowron, Chase, Colwell, Crandall, Cross, Daugherty, Fagan, Flynn, Hazard, Hill, Solon Johnson, Keuhn, Martin, Noble, Phelps, Reymert, Rickerson, Rockwell, Thomas, Thorp, Toland, Wasson, Wells, White, and Hobart, (speaker,)—27.

Those who voted in the negative, were

Messrs. Ayers, Barber, Burns, Colley, Clark, Crawford, Dick, [illegible], Hastings, Kelsey, Kerr, King, Lown, Meade, Nute, O'Neil Page, Parkinson, Pierce, Pike, Pope, Pratt, Townsend, Turck, Willard, and Young,—26.

Mr. Crawford moved to amend said bill, by adding as follows:

Section 97, Whenever it shall appear to the board of supervisors of any county, that any one of the towns in such county would be unreasonably burthened by erecting or repairing any necessary bridge or bridges in said town, such board of

supervisors may cause such sum to be raised and levied upon the county, as will be sufficient to defray the expenses of erecting or repairing such bridge or bridges, or such part of such expenses as they may deem proper; and such moneys, when collected, shall be paid to the town treasurer of the town in which the same are to be expended, to be applied by the supervisors of such town to the purpose for which the same was raised: *Provided*, That the powers granted to the board of supervisors in any county, by this section shall not be exercised until a majority of the voters of said county shall have voted in favor of said tax at any general or special election.

Sec. 98. No board of supervisors shall, under the provisions of the preceding section, cause any sum exceeding one thousand dollars to be raised and levied in any county in any one year.

Mr. Thomas moved to amend the amendment, by inserting 500 in lieu of 1000 in the 98th section;

Which was disagreed to.

The question being on the adoption of said amendment,

Having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Alden, Ayers, Barber, Bird, Bowron, Burns, Colley, Clark, Crawford, Cross, Dick, Fagan, Gillilan, Hastings, Hazard, Solon Johnson, Kelsey, Kerr, King, Lown, Meade, Nute, Page, Parkinson, Pierce, Pike, Pope, Pratt, Reymert, Rockwell, Thomas, Townsend, Turck, White, Willard, Young and Hobart, (speaker)—37.

Those who voted in the negative, were

Messrs. Chase, Colwell, Crandall, Daugherty, Flynn, Hill, Keuhn, Martin, Noble, Phelps, Rickerson, Thorp, Toland, Wasson, and Wells,—15.

Mr. Willard moved to amend section 20, by adding the following;

If the overseer shall neglect or refuse to deliver such list to the town clerk, as aforesaid, the supervisors shall have power to issue a warrant under their hands directed to any constable in the town, requiring him forthwith to bring such overseer before them to show cause why such list has not been filed with the town clerk, according to law. The constables fees for such service, shall be paid by said delinquent overseer.

And the question being on the adoption thereof,

Having been put,

It was decided in the affirmative.

Mr. King moved to amend section 35, by adding, as follows:

If any person shall feel himself aggrieved by the decision of any overseer, as provided in section 34 of this chapter, he may at any time hereafter, within six days after receiving the notice as provided in this section, appeal to any justice of the peace of his town, who shall have full power to hear and determine upon the question of the neglect of such person to appear and perform his highway labor as required in the notice of the overseer, and for the purpose of such hearing, such justice shall cause a notice of such appeal having been made to be served upon the overseer, at least three days before the time appointed by such justice for such hearing, and the same shall be heard and determined by such justice, in the same manner as suits at law are provided to be tried before justices of the peace, and the like fees for services therein rendered by such justice, and to any constable who may serve the notice herein required, shall be paid as is allowed by law for similar services in civil suits, to be paid by the party against whom the decision is made, and if such justice shall affirm the decision appealed from, then the overseer shall proceed to collect such tax in the manner provided in the succeeding sections of this act, but if such justice shall reverse the decision appealed from, such person shall have the right to pay his highway tax in labor.

And the question on the adoption therof,

Having been put,

It was decided in the negative.

Mr. Kelsey moved further to amend said bill, by striking out sections 66 and 67.

And the question on the adoption of said amendment,

Having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Barber, Bird, Burns, Colwell, Colley, Crawford, Dick, Hastings, Hill, Kelsey, King, Lown, Meade, Parkinson, Pope.

Reymert, Rickerson, Townsend, Turck, Wasson, Willard, Young and Hobart, (speaker.)—23.

Those who voted in the negative were

Messrs. Bowron, Chase, Crandall, Daugherty, Fagan, Flynn, Hazard, Kerr, Keuhn, Martin, Noble, Nute, Page, Phelps, Pierce, Pike, Rockwell, Thomas, Thorp, Toland, Wells, and White,—23.

Mr. Thomas moved to amend, by adding to section 57, as follows:

The supervisors of such town shall have at least six days notice of the time and place of such meeting.

And the question on the adoption thereof

Having been put,

It was decided in the affirmative.

Mr. Thomas moved further to amend section 103, by inserting after the word "sluiceway, the words "or roads" whereever it occurs.

And the question on the adoption thereof

Having been put,

It was decided in the affirmative.

Mr. Flynn moved to amend section 22 by striking out the words "seventy-five cents," where it occurs in the 4th line, and insert "$1 50, or two days' labor."

Which was disagreed to.

Mr. Hill moved to amend section sixty-nine by striking out the words "three rods" where they occur, and insert "three feet;".

Which was disagreed to.

Mr. Pratt moved that the vote by which the assembly refused to strike out sections 66 and 67 be reconsidered;

Which was agreed to.

And the question being on the amendment which was to strike out said sections;

Having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Alden, Barber, Burns, Colley, Clark, Crawford, Dick, Fagan, Hastings, Hill, Solon Johnson, Kelsey, Kuehn, King, Lown, Meade, Parkinson, Pope, Pratt, Reymert, Rickerson, Thomas, Turck, Wasson, Wells, Willard, Young, and Hobart, (speaker,)—28.

Those who voted in the negative, were

Messrs. Ayres, Bird, Bowron, Chase, Colwell, Crandall, Daugherty, Flynn, Gillilan, Hazard, Kerr, Martin, Noble, Nute, Page, Phelps, Pierce, Pike, Rockwell, Thorp, Toland, Townsend, and White.—23.

Mr. Kelsey moved further to amend the bill by striking out sections 34, 35, 36, 37, 38, 39, 40, 41, and 42, and insert as follows, to wit:

Sec.— In case such person shall refuse or neglect to apappear as above provided, he shall forfieit for every day's refusal or neglect the sum of two dollars. If he was required to furnish a team, carriage, man, or implements, and shall refuse or neglect to comply, he shall be fined not more than five dollars nor less than two dollars for each day.

Sec.—. It shall be the duty of every overseer of the highways, within six days after any person so assessed and notified shall be guilty of any refusal or neglect for which neglect a penalty or fine is prescribed in this chapter unless a sufficient excuse shall be rendered to him for such refusal or neglect to make complaint on oath to one of the justices of the peace of said county.

Sec.—. The justice to whom such complaint shall be made shall, without delay, issue a summons directed to any constable of the county, requiring him to summon such delinquent to appear forthwith before such justice at some place to be specified in the summons to show cause why he should not be fined according to law for such refusal orneglect, which summons shall be served personally, or by leaving a copy thereof at his usual place of abode.

Sec.—. If upon the return of such summons no sufficient cause be shown to the contrary, the justice shall impose such fine as provided in this chapter for the offence complained of, and shall forthwith issue a warrant under his hand and seal, directed to any constable of the county where such delinquent shall reside, commanding him to levy such fine with the costs of the proceedings on the goods and chattles of such delinquent.

Sec.—. The constable to whom such warrant shall be directed shall forthwith collect the moneys therein mentioned; he shall pay the fine when collected, to the justice who issued the warrant, who is hereby required to pay the same to the overseer who entered the complaint, to be by him expended in improving the roads and bridges in the district of which he is overseer.

Sec.—Every penalty collected for a refusal or neglect to appear and work on the highways shall be set off against the assessment upon which it was founded. estimating every two dollars collected as satisfaction for one day's work, or seventy-five cents assessed.

And the question on the adoption thereof

Having been put,

It was decided in the negative.

Mr. Hill moved to amend section sixty-nine by striking out all after the word "wide," where it last occurs;

Which was agreeed to,

Mr. Willard moved to amend section sixty-eight by striking out after the word "public" the words " or private;"

Which was agreed to.

Mr. Willard moved to amend section seventy by striking out after the words "public" the words "or private ;"

Which was agreed to.

Mr. King moved to amend section 85 by adding "and the overseer of the proper district shall cause such obstruction immediately to be removed ;"

Which was agreed to.

Mr. Toland moved to amend section sixty-nine by striking out the words "nor shall any private road be laid more than three rods wide ;"

Which was agreed to.

Mr. Crandall moved to amend section one by striking out of the 8th line the words "used for twenty years but not recorded," and insert the following: "lawfully laid out and used as such up to the present time, but not fully and sufficiently recorded"

Which was agreed to.

The said bill, No. 99, (S.) was then ordered to be read the third time.

Mr. Kerr, from the committee on enrolled bills, submitted the following report:

The committee on enrolled bills, report that they did on yesterday present to his excellency the governor for his approval,

An act to authorize school district No. two in the town of Muquanego to renew a tax warrant;

An act to amend an act to incorporate the city of Racine.

An act to amend an act entitled "an act to incorporate the Lake Michigan and Mississippi rail road company," approved Feb. 4th, 1847;

An act to vacate part of the plot of the village of Mukwanago, in the county of Waukesha.

An act to authorize the apportionment of school moneys to district No. 10, in the towns of Lima, and Johnstown, in Rock county.

An act to provide for a final settlement with the Milwaukee and Rock river canal company,

An act to provide for the payment of the commissioners to revise the laws and their clerks the sums therein named;

An act to amend an act entitled "an act to incorporate the city of Milwaukee" and acts amendatory thereto.

A message from the senate by their chief clerk:

Mr. Speaker:

I am directed to inform you that the senate has adopted the following resolutions:

Resolved, By the senate and assembly, That the state printer be requested to furnish the legislature with his account against the state for printing done at the present session up to the present time and that said account be accompaied with printed copies of the work for which such charge is made.

Resolved, That the chief clerk of the senate be directed to forward a copy of the above resolution to the state printer.

In which the concurrence of the assembly is requested.

And that the senate has refused to recede from its amendment to

No. 98, (A.) A bill in relation to the law of roads and the regulation of public carriages,

And has appointed Messrs. Kinney and Murphy a committee of conference on the part of conference on the part of the senate to act with a similar committee on the part of the assembly, on the disagreeing vote of the two houses on the amendment of the senate to said bill, No. 98, (A.)

And has passed

No. 107, (S.) A bill in relation to testimony and depositions;

No. 127, (S.) A bill in relating to improvements on real estate; and

No, 128, (S.) A bill for the relief of insolvent debtors.

In which the concurrence of the assembly is requested.

And has passed

No. 82, (A.) A bill to divide the town of Cottage Grove, in Dane county, into two separate towns;

No. 111, (A.) A bill to organize the town of Vinland in Winnebago county; and

No. 116. (A.) A bill in relation to homicide;

Without amendmet.

And has passed

No. 121, (A.) A bill to divide the town of Dane, in Dane county,

With amendments.

In which the concurrence of the assembly is requested.

Under the rule,

The assembly resolved itself into committee of the whole for the consideration of the general file of bills, as reported by the revisors and committee on compilation;

Mr. Hastings in the chair.

And after some time spent therein the committee rose and by their chairman reported back to the assembly

No. 117, (A.) A bill in relation to crimes and the punishment therefor;

With an amendment.

No. 144, (A.) A bill concerning the action of replevin;

Without amedment, and reported progress on the general file, and asked leave to sit again.

Leave was granted.

On motion of Mr. Noble,

The assembly adjourned until half past two, P. M.

HALF PAST TWO O'CLOCK, P. M.

Mr. Kelsey introduced the following resolution, to wit:

Resolved, That his excellency the governor, be requested to return to the assembly

No. 67, (S.) A bill to provide for the final settlement with the Milwaukee and Rock River canal company,

For the further consideration of said bill.

Mr. Barber moved that said resolution be laid upon the table;

And the question on the adoption of said motion,

Having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Alden. Ayres, Barber, Bird, Bowron, Chase, Colwell, Clark, Crandall, Cross, Daugherty, Dick, Solon Johnson, Kerr, Keuhn, King, Martin, Meade, Pope, Reymert, Rickerson, Rockwell, Thomas, Townsend, Wells, White, and Hobart, (speaker.)—27.

Those who voted in the negative, were

Messrs. Burns, Colley, Crawford, Fagan, Gillilan, Hastings, Hazard, Hill, Kelsey, Lown, Noble, Nute, Page, Parkinson, Phelps, Pierce, Pike, Pratt, Thorp, Toland, Turck, Wasson, Willard and Young,—24.

Mr. Bird moved that

No 84. (S.) A bill to appropriate to John T. Wilson, Seymour & Varney, Dean & Co., Timothy Robertson, James Helpin, H. A. Tenney, Henry C. Parker, and Thomas Dunn, the several sums therein named,

Be taken from the table;

Which was agreed to.

Mr. Wells moved that the said bill be referred to the committee on claims.

And the question on the adoption thereof,

Having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Alden, Ayres, Burns, Colley, Clark, Crandall, Fagan, Flynn, Hastings, Hazard, Hill, Kuehn, King, Martin, Meade, Noble, O'Neil, Page, Phelps, Pierce, Rockwell, Thorp, Toland, Townsend, Turck, Wasson, Wells, Willard, and Hobart, (speaker,)—29.

Those who voted in the negative, were

Messrs. Barber, Bird, Bowron, Chase, Colwell, Crawford, Dick, Gillilan, Solon Johnson, Juneau, Kelsey, Kerr, Lown, Nute, Parkinson, Pike, Pope, Pratt, Reymert, Thomas, White, and Young—22.

Mr. Phelps moved that

No. 65, (A.) A bill to legalize the proceedings of the collector of the town of Addison in the county of Washington for the year 1848,

Be taken from the table,

And that the rules be suspended and said bill read the third time and passed now;

Which was agreed to.

The said bill was then read the third time, passed, and the title thereof agreed to.

Mr. Clark, from the committee on roads, bridges, and ferries, reported

No. 174, (A.) A bill to provide for laying out certain oads therein described;

Which was read the first and second times.

On motion of Mr. Kelsey,

Laid on the table and ordered to be printed.

Mr. Cross, from the committee on compilation of the laws to whom had been referred

No. 118, (A.) A bill in relation to the time for holding the several circuit courts of the state of Wisconsin,

Reported a substitute for said bill; which,

On motion of Mr. Cross,

Was laid on the table and ordered to be printed.

Mr. Colley, from the select committee to whom the same had been referred, reported a substitute for

No. 150, (A.) A bill to provide for the publication of certain laws;

Which was accepted.

A message from the senate by their chief clerk:

Mr. SPEAKER:

I am directed to inform you that the senate has passed

No. 111, (S.) A bill for an act additional to an act to amend an act to authorize the further sale of canal lands, and for other purposes, and the act amendatory thereto, approved March 11, 1848;

In which the concurrence of the assembly is requested.

Messages from the senate were taken up.

The amendment of the senate to said bill No. 154, (A.)

Was concurred in.

The senate resolutions in relation to the state printer's account, was also

Concurred in.

The question being on concurring in the amendment of the senate to said bill No. 121, (A.)

Mr. Barber moved that said bill and amendments be laid upon the table;

Which was agreed to.

The speaker appointed Messrs. Wells and Lown as a committee of conference on the part of assembly on the disagreeing vote of the two houses, on No. 98, (A.)

No. 107, (S.) A bill in relation to testimony and depositions;

No. 127, (S.) A bill relating to improvement on real estate;

No. 128, (S.) A bill for the relief of insolvent debtors; and

No. 111, (S.) A bill for an act additional to an act to amend an act to authorize the further sale of canal lands, and for other purposes, and the act amendatory thereto, approved March 11, 1848;

Were severally read the first and second times.

No. 20, (S.) A bill to establish a state road through a part of Iowa, Richland and Sauk counties; and

No. 52; (S.) A bill supplementary to an act to incorporate the Milwaukee Mutual Fire Insurance company, approved December 27, 1837, and an act to amend an act to incorporate the Milwaukee Mutual Fire Insurance company, approved February 7th 1847,

Were severally read the third time, passed, and the titles thereof agreed to.

No. 3, (S.) Joint resolutions relating to public lands;

Was ordered to be read the third time.

No. 140, (A.) A bill to authorize the construction of a bridge across Fox river; and

No. 141, (A.) A bill to authorize the construction of a bridge across Fox river;

Were severally ordered to be engrossed and read the third time.

On motion of Mr. Barber,

The assembly resolved itself into committee of the whole for the consideration of the general file of bills,

Mr. Rockwell in the chair.

And after some time spent therein the committee rose and by their chairman reported back to the assembly

No. 108, (A.) A bill to divide the town of Brighton in the county of Winnebago;

With an amendment.

No. 150, (A.) A bill to provide for the publication of certain laws; and

No. 70, (A.) A bill to prevent imposition in the sale of medicines;

Without amendment.

The amendment of the committee of the whole to said bill No. 108, (A.)

Was concurred in.

The said bills No. 108 and 150, (A.) were severally ordered to be engrossed and read the third time.

The question being on ordering the said bill No. 70, (A.) to be engrossed and read the third time,

Mr. Pratt moved to amend said bill, by inserting in 3d line of section 1, after the word "sale" the words, "prescribed or ordered by a physician."

Also in 1st. line of section 2, after the word "apothecary," the word "physician;"

Which was disagreed to.

Mr. Thomas moved to amend said bill by striking out the enacting clause.

And the question on the adoption thereof,

Having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Alden, Barber, Colwell, Crandall, Daugherty, Juneau, King, Martin, Meade, Noble, Nute, Parkinson, Phelps, Pierce, Pope, Pratt, Reymert, Rickerson, Rockwell, Thomas, Thorp, and Townsend,—23.

Those who voted in the negative, were

Messrs. Ayres, Bowron, Burns, Chase, Colley, Clark, Crawford, Cross, Dick, Fagan, Gillilan, Hastings, Hazard, Hill, Solon Johnson, Kelsey, Lown, O'Neil, Page, Pike, Toland, Turck, Wasson, Wells, Willard, Young and Hobart, (speaker,)—27.

Mr. Thomas moved further to amend said bill, by striking out all after the enacting clause;

Which was disagreed to.

Mr. Alden moved that said bill be laid upon the table;

Which was disagreed to.

Mr. Nute moved that said bill be referred to the committee on the judiciary;

Which was disagreed to.

Mr. Thomas moved that said bill be referred to a select committee of five;

Which was agreed to.

Mr. Daugherty, from the select committee to whom had been referred

No. 37, (S.) A bill to amend an act entitled "an act to provide for the improvement of the Fox and Wisconsin rivers, and connecting the same by a canal, approved August 8th, 1848;

Reported a substitute for the said bill, and

Introduced the following resolution, which was adopted, to wit:

Resolved, (senate concurring,) That the senate and assembly will meet in joint convention in the assembly chamber, on Saturday next, at three o'clock, P. M. to elect a board of public works, to succeed the present board, and also to elect some person to fill the vacancy in the present board.

Mr. Clark moved that

No. 106, (S.) A bill to provide for the publication of the Revised Statutes of this state;

Be taken up;

Which was agreed to.

The amendment made by the committee of the whole to said bill was adopted.

Mr. Clark moved that the rules be suspended and that said bill be read the third time, and put upon its passage now;

Which was agreed to.

And the question being on the passage of the bill,

Mr. Crawford moved that said bill be referred to the committee on the judiciary;

Which was disagreed to.

Mr. Chase moved that said bill be referred to a select committee of three;

Which was disagreed to.

And the question on the passage of said bill

Having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Alden, Ayers, Bird, Bowron, Burns Colwell, Clark, Dick, Fagan, Flynn, Gillilan, Hastings, Hill, Solon Johnson, Juneau, Kelsey, Keuhn, King, Lown, Meade, Noble, Parkinson, Phelps, Pierce, Pratt, Reymert, Thorp, Toland, Townsend, Turck, Wasson, Wells, Willard, and Hobart, (speaker) —34.

Those who voted in the negative, were

Messrs. Barber, Chase, Crandall, Crawford, Cross, Daugherty, Hazard, Kerr, Nute, O'Neil, Page, Pike, Rickerson, Rockwell, Thomas, and Young—16.

The title of said bill was then agreed to.

Mr. Cross, from the committee on the judiciary submitted the following report, which was accepted, viz:

The committee to whom was referred

No. 154, (A.) A bill legalizing certain acts of notaries public;

Have instructed me to report adversely to the passage of said bill, for the reason that the bill just reported by the committee on the compilation of the laws "relative to seals" is sufficient to remedy all the defects intended to be cured by the passage of this bill.

J. B. CROSS.

Mr. Cross, from the same committee to whom had the been referred bill No. 166, (A.) and the amendment thereto reported a substitute for said amendment.

Mr. Kerr, from the committee on enrolled bills, submitted the following report, to wit:

The committee on enrolled bills report that they have examined

No. 64, (A) A bill to incorporate the Spring Valley academical association;

No. 29, (A.) A bill to cede jurisdiction to the United States over lands to be occupied as sites for light houses within this state;

No. 96, (A.) A bill to legalize the proceedings of a school meeting held in school district No. 2, in the town of Medina, Dane county, and to raise an additional tax to build a school house;

No. 99, A. An act to prevent obstructions to Black river;

And find them correctly enrolled.

The said bills were thereupon signed by the speaker and transmitted to the senate.

On motion of Mr. Clark,

The assembly adjourned.

WEDNESDAY, March 14th, 1849.

Prayer by the Reverend Mr. Penman.

The speaker announced as the select committee to whom had been referred bill No 70, (A.)

Messrs. Kelsey, Pratt, Meade, Chase and Dick.

Mr. Hill introduced the following resolutions, to wit:

Resolved, That we deem the course pursued by the editors and proprietors of the Wisconsin Argus, towards the members of the legislature, as abusive in the extreme, unfounded in truth, and reflecting unjustly upon their actions and motives; we therefore, deem it but just to ourselves, henceforward to refuse to take any more papers from the Argus establishment.

And further, resolved, That in the opinion of this legislature, the "Wisconsin Argus," is a public nuisance, undeserving the patronage of the democratic, or any other party.

Mr. Hobart moved that said resolution be laid upon the table;

Which was disagreed to.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Bird, Dick, Kerr, Pike, Rockwell, Thomas, White Young, and Hobart, (speaker,)—9.

Those who voted in the negative, were

Messrs. Alden, Ayres, Barber, Bowron, Burns, Chase, Colwell, Colley, Clark, Crandall, Crawford, Cross, Daugherty, Fagan, Flynn, Gillilan, Hastings, Hazard, Hill, Solon Johnson, Juneau, Kelsey, Kuehn, King, Lown, Martin, Noble, Nute, Page, Parkinson, Phelps, Pierce, Pope, Pratt, Reymert, Rickerson, Strong, Thorp, Toland, Townsend, Turck, Warren, Wasson, Wells, and Willard,—45.

Mr. Strong moved to amend the resolution by striking out the last clause thereof;

Which was agreed to.

The question then recurred on the adoption of the resolution as amended,

Having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Alden, Ayres, Barber, Bowron, Burns, Colwell, Colley, Clark, Flynn, Gillilan, Hill, Solon Johnson, Kelsey, Keuhn, King, Lown, Martin, Noble, Parkinson, Phelps, Pierce, Pope, Reymert, Rickerson, Strong, Thorp, Toland, Townsend, Turck, Warren, Wasson, Wells, and Willard,—33.

Those who voted in the negative, were

Messrs. Chase, Crawford, Cross, Daugherty, Dick, Fagan, Hastings, Hazard, Kerr, Nute, Page, Pike, Pratt, Thomas, White, Young and Hobart, (speaker.)—17.

No. 99, (S) A bill in relation to highways and bridges,

Was read the third time, passed, and the title thereof agreed to.

No. 144, (A.) A bill concerning the action of replevin;

Was ordered to be engrossed and read the third time.

The question being on concurring in the amendment of the committee of the whole to

No. 117, (A.) A bill in relation to crimes and the punishment therefor;

Having been put,

It was decided in the affirmative.

The said bill was then ordered to be engrossed and read the third time.

The speaker laid before the assembly the following report from the revisors of the laws, to wit:

MADISON, March 14th, 1849.

Hon. H. C. Hobart, Speaker of the Assembly:

SIR:—We have the honor to submit herewith, additional chapters of our report as commissioners to revise the laws.

You will please lay the same before the legislature.

Very respectfully,
Your obedient servants,
C. M. BAKER,
M. FRANK.

The said chapters, to wit:

No. 175, (A.) An act for revising and consolidating the general statutes of the state of Wisconsin; and

No. 176, (A.) A bill relating to the several counties of the state,

Were severally read the first and second times, and

On motion of Mr. Hobart,

Laid on the table and ordered printed.

On motion of Mr. Barber,

The assembly resolved itself into committee of the whole for the consideration of the general file of bills, received from the revisors and committee on compilation;

Mr. Noble in the chair.

And after some time spent therein the committee rose and by their chairman reported back to the assembly

No. 160, (A.) A bill to prevent forcible entries and unlawful detainer;

No. 161, (A.) A bill for the relief of persons confined in jail on civil process;

No. 163, (A.) A bill concerning proceedings in chancery; and

No. 164, (A.) A bill relative to seals;

Without amendment.

Reported progress on the general file, and asked leave to sit again.

Leave was granted.

Said bills, Nos. 161 and 164, (A.)

Were ordered to be engrossed and read the third time.

The question being on ordering said bills, No. 160 and 163, (A.) to be engrossed and read the third time,

Mr. Daugherty moved that said bills be laid upon the table and ordered printed;

Which was agreed to.

Mr. Strong, from the committee on compilation of the laws, reported

No. 177, (A.) A bill for the foreclosure of mortgages by advertisement; and

No. 178, (A.) A bill concerning judgments and executions;

Which were read the first and second times.

Mr. Hobart moved that said bills be laid upon the table and ordered to be printed;

Which was agreed to.

Mr. Daugherty moved that

No. 101, (A.) A bill in relation to school and university lands, the sale thereof, and the powers and duties of the commissioners of said lands,

Be referred to the committee on education and school lands;

Which was agreed to.

Mr. Daugherty, from the committee on engrossed bills, reported as correctly engrossed

No. 144, (A.) A bill concerning the action of replevin.

Mr. Kerr, from the committee on enrolled bills, submitted the following report, to wit;

The committee on enrolled bills respectfully report, that they have examined

No. 120, (A.) A bill to organize the town of Chili, in the county of Fond du Lac;

No. 112, (A.) A bill to declare the Fond du Lac river a navigable stream;

No. 114, (A.) A bill to establish a state road from Fond du Lac to Port Washington;

No. 128 (A.) A bill to establish a state road from Neenah to Strong's Landing;

No. 111, (A.) A bill to organize the town of Vinland in Winnebago county;

No. 84, (A.) A bill to change the name of the town of Butte des Mortes, in the county of Winnebago;

No. 113, (A.) A bill to declare certain roads in the town of Lisbon to be lawful highways;

No. 48, (A.) A bill to repeal an act to change the boundaries of the towns of Utica and Rushford in the county of Winnebago;

No. 72, (S.) A bill to appropriate to William R. Smith the sum therein named;

No. 97, (S.) A bill to change the name of the village of Milford in Green county,

No. 77, (S.) A bill to incorporate the Methodist Episcopal Church; and

No. 106, (S.) A bill to provide for the publication of the revised statutes of this state;

And find them correctly enrolled.

The said bills were thereupon signed by the speaker and transmitted to the senate.

Mr. Hastings, from the joint special enrolling committee, reported as correctly enrolled, the following bills:

No. 104, (A.) A bill concerning the writ of habeas corpus; and

No. 105, (A.) A bill concerning fraudulent conveyances and contracts relative to lands;

On motion of Mr. Bowron,

The assembly adjourned until half past two, P. M.

HALF PAST TWO O'CLOCK, P. M.

A message from the senate by their chief clerk:

MR. SPEAKER:

I am directed to inform you that the senate has concurred in the amendment of assembly to

No. 106, (S.) A bill to provide for the publication of the revised statutes of this state.

And has passed

No. 110, (S.) A bill to amend an act entitled an act to incorporate the village of Madison.

In which the concurrence of the assembly is requested.

And has concurred in the 1st, 2nd, 3rd, 4th, 5th, 6th, 12th, 15th, 16th, 17th, 18th, 20th and 21st amendments of senate to

No. 99, (S.) A bill in relation to highways and bridges;

And has non-concurred in

The 7th, 8th, 9th, 10th, 11th, 13th, 14th and 19th amendments of assembly to said bill, No. 99, (S.)

Mr. Alden introduced the following resolution, which was adopted, to wit:

Resolved, That the secretary of state be requested to report forthwith to the legislature whether the printing thus far done by the state printer corresponds with the samples in his office and under which the contract was made, and whether the state printer has not violated his contract.

Mr. Rickerson, from the committee to whom petitions on that subject had been referred, reported

No. 179, (A.) A bill to organize the town of Taylor;

Which was read the first and second times.

Mr. Clark, from the committee on roads, bridges, and ferries, to whom the same had been referred, reported back to the assembly

No. 170, (A.) A bill to alter a road in Winnebago county;

Without amendment, recomending the passage thereof.

Mr. Wells introduced the following resolution, which was adopted, to wit:

Resolved, That the use of the assembly hall be granted to Mr. Ide, on to-morrow evening, for the purpose of giving a vocal concert.

Messages from the senate were taken up.

No. 110, (S.) A bill to amend an act entitled an act to incorporate the village of Madison,

Was read the read the first and second times.

The assembly receded from its 7th, 8th, 9th, 10th, 11th and 19th amendments to said bill No. 99, (S,)

And insisted in its 13th and 14th amendments to said bill.

Mr. Ayres, by leave, introduced

No. 8, (A.) Joint resolutions relative to a proposed amendment to the constitution of the United States, concerning post masters,

Which was read the first and second times.

Mr. Daugherty, from the committee on engrossed bills, submitted the following report:

The committee on engrossed bills, would report the following named bills and memorial as correctly engrossed

No. 100 (A.) A bill to organize the town of Buena Vista in the county of Richland;

No. 68, (A.) A bill repealing all laws for providing for the licensing of the sale of spirituous liquors;

No. 85, (A.) A bill to organize the town of Primrose, in Dane county;

No. 136, (A.) A bill to prevent the issue of scrip, certificates, and other evidence of debt by the officers of the state;

No. 133, (A.) A bill in relation to certain school districts in Fond du Lac county;

No. 132, (A.) A bill declaring a certain road in the town of Rosendale in Fond du Lac county to be a lawful highway;

No. 122, (A.) A bill submitting the question of the extension of the right of suffrage to a vote of the people;

No. 149, (A.) A bill to legalize a certain road therein named;

No. 148, (A.) A bill to amend an act, approved August 19th, 1848, entitled an act to organize the several towns therein named;

No. 7, (A.) A memorial to the president of the United States asking that measures may be taken to prevent depredations by Indians;

No. 134, (A.) A bill to legalize the acts of certain town officers of the town of Spring Prairie, and to declare a road therein described a lawful highway;

No. 151, (A.) A bill for an act to organize a school district in the town of Sun Prairie, in Dane county;

No. 167, (A.) A bill to alter the boundaries of the town of Milford, in Jefferson county;

No, 138, (A.) An act to amend an act supplementary to an act to incorporate the Milwaukee and Waukesha rail road company, approved March 11, 1848, and an act to incorporate the Milwaukee and Waukesha rail road company, approved Feb. 11, 1847;

No. 127, (A.) A bill to amend an act entitled an act to provide for the improvement of the Fox and Wisconsin rivers and connecting the same by a canal, approved August 8th, 1848;

No. 142, (A.) A bill to repeal an act entitled an act to amend an act to organize school district No 1, in Fond du Lac, for special purposes;

No. 123, (A.) A bill to provide for building a bridge across the Milwaukee river on the county line dividing Milwaukee and Washington.

The said memorial and bills No 7, 85, 100, 122, 127, 132, 133, 134, 138, 142, 148, 149, 151 and 167, (A.)

Were severally read the third time, passed, and titles thereof agreed to.

The said bill No. 68, (A.) was read the third time.

And the question, "shall the bill pass?"

Having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Alden, Bird, Bowron, Burns, Colwell, Colley, Clark, Crandall, Crawford, Daugherty, Fagan, Gillilan, Hastings, Hazard, Solon Johnson, Juneau, Kelsey, Keuhn, Kimball, King, Lown, Noble, Nute, Page, Parkinson, Phelps, Pierce, Pike, Pope, Reymert, Rockwell, Thomas, Thorp, Toland, Townsend, Turck, Warren, Wasson, Willard, Young and Hobart, (speaker,)—41.

Those who voted in the negative were

Messrs. Ayres, Barber, Chase, Flynn, Hill, Martin, Wells, and White,—8.

The title of said bill was then agreed to.

The question being on the passage of No. 123, (A.)

Mr. Turck moved that said bill be referred to a select committee of three;

Which was agreed to.

The speaker appointed Messrs. Turck, Wasson, and Parkinson as said committee.

The question being on the passage of the said bill No. 136, (A.)

Mr. Wells moved that said bill be laid upon the table;

Which was agreed to.

No. 3, (S.) Joint resolutions relating to public lands;

Was read the third time.

And the question being on the passage of said bill,

Mr. Wells moved that the further consideration thereof be indefinitely postponed.

And the question on the adoption of said motion

Having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Chase, Clark, Crawford, Flynn, Hill, Solon Johnson, Kuehn, Kimball, King, Pierce, Pike, Rockwell, Townsend, Wasson, Wells, and Young—16.

Those who voted in the negative, were

Messrs. Barber, Bird, Bowron, Burns, Colwell, Colley, Crandall, Daugherty, Fagan, Gillilan, Hastings, Hazard, Kelsey, Kerr, Lown, Martin, Noble, Nute, Page, Parkinson, Phelps, Pope, Pratt, Reymert, Rickerson, Thorp, Toland, Turck, Warren, White, Willard, and Hobart, (speaker.)—32.

Mr. Daugherty moved that said bill be referred to a select committee of three;

Which was agreed to.

The speaker appointed Messrs. Daugherty, Bowron, and Wells as said committee.

Mr. Wells, from the committee on claims to whom had been referred

No. 84. (S.) A bill to appropriate to John T. Wilson, Seymour & Varney, Dean & Co., Timothy Robertson, James Helpin, H. A. Tenney, Henry C. Parker, and Thomas Dunn, the several sums therein named,

Reported a substitute for said bill.

No. 102, (S.) A bill to incorporate the First Christian Society in the town of Monroe, Green county;

Was ordered to be read the third time.

No. 173, (A.) A bill to alter the boundaries of certain towns in the county of Marquette;

Was ordered to be engrossed and read the third time.

No. 172, (A.) A bill to change the name of the town of Lexington and village of Dartford, and to vacate the alleys in said village;

Was ordered to be engrossed and read the third time.

No. 36, (S,) A bill to provide for the election of a librarian and to prescribe his powers and duties;

Was read the third time

And the question being on the passage of said bill,

Mr. Reymert moved that the further consideration thereof be indefinitely postponed;

Which was disagreed to.

Mr. Chase moved that said bill be referred to a select committee of three;

Which was disagreed to.

Mr. Ayres moved that the enacting clause of said bill be stricken out.

And the question on the adoption thereof,

Having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Ayers, Barber, Bowron, Burns, Colwell, Colley, Crawford, Chase, Cross, Daugherty, Dick, Fagan, Flynn, Gillilan, Hazard, Hill, Juneau, Keuhn, Kimball, King, Lown, Martin, Noble, Nute, Parkinson, Phelps, Pierce, Pratt, Reymert, Rickerson, Rockwell, Thomas, Thorp, Toland, Townsend, Turck, Warren, Wasson, Wells, White, Willard and Hobart, (speaker,)—42.

Those who voted in the negative, were

Messrs. Bird, Clark, Crandall, Hastings, Solon Johnson, Kelsey, Kerr, Page, Pike, Pope, and Young—11.

Mr. Bird moved that said bill

No. 169, (A.) A bill relating to the State University,

Be laid upon the table;

Which was agreed to.

Mr. Cross moved that

No. 153, (A.) A bill supplementary to an act to authorize Thomas P. Williams and others to build a bridge;

Be taken from the table, and referred to a select committee consisting of the delegation from the city of Milwaukee;

Which was agreed to.

The committee on enrolled bills, report that they did on yesterday present to his excellency the governor [illegible]

An act to prevent obstructions in Black river;

An act to legalize the proceedings of a school meeting held in school district number two, in the town of Medina, in Dane county, and to raise an additional tax to build a school house;

An act to incorporate the Spring Valley academical association;

An act to cede jurisdiction to the United States over lands to be occupied as sites of light-houses within this state;

An act to consolidate and amend an act entitled "an act to incorporate Carroll College," approved January 31, 1846, and an act amendatory thereto, approved January 25th, 1847.

On motion of Mr. Bowron,

The assembly resolved itself into committee of the whole for the consideration of the general file of bills,

Mr. Martin in the chair.

And after some time spent therein the committee rose and by their chairman reported back to the assembly

No. 37, (S.) A bill to amend an act entitled an act to provide for the improvement of the Fox and Wisconsin rivers, and connecting the same by a canal, approved August 8th, 1848.

By substitute:

No. 111, (S.) A bill for an act additional to an act to amend an act to authorize the further sale of canal lands, and for other purposes, and the act amendatory thereto, approved March 11, 1848;

No. 110, (S.) A bill to amend an act entitled an act to incorporate the village of Madison;

No. 28, (S.) A bill to amend an act entitled "an act to exempt from forced sale on final process the property therein named, approved Aug. 10th 1848;"

No. 170, (A.) A bill to alter a road in Winnebago county;

No. 8, (A.) Joint resolution relative to the proposed amendment of the constitution of the United States, concerning post masters; and

No. 179, (A.) A bill to organize the town of Taylor;

Without amendment.

The substitute of the committee of the whole to said bill No. 37, (S.) was adopted.

Mr. Bowron moved that the rules be suspended, and that the said bill be read the third time and passed now;

Which was agreed to.

The said bill was then read the third time, passed, and the title thereof agreed to.

The question being on ordering said bill No. 111, (S.) to be engrossed and read the third time,

Mr. Hobart moved that said bill be referred to the committee on the judiciary;

Which was agreed to.

No. 110, (S.) was ordered to be read the third time.

Said bills No. 170 and 179, (A.) were severally ordered to be engrossed and read the third time.

The said bill No. 28, (S.) was on motion of Mr. Kelsey returned to the general file.

The said joint resolution No. 8, (A.) was on motion of Mr. Ayres, returned to the general file.

Mr. Hobart moved that the vote by which bills No. 163, 178, (A.) were ordered printed, be re-considered;

Which was agreed to.

Mr. Hobart then withdrew his motion to have said bill printed.

Mr. Hobart moved that said bills No, 163 and 178, (A.) be referred to a select committee of five;

Which was agreed to.

Whereupon the speaker appointed Messrs. Kelsey, Thorp, Barber, Pope and Bird as said committee.

On motion of Mr. Kelsey,

The assembly adjourned.

THURSDAY, March 15th, 1849.

Prayer by the Rev. Mr. Lord.

No. 144, (A.) A bill concerning the action of replevin; and

No. 117, (A.) A bill in relation to crimes and the punishment thereof;

Were severally read the third time, passed, and the titles thereof agreed to.

Mr. Clark moved that bill

No. 107, (S.) A bill in relation to testimony and depositions;

Be referred to the select committee to whom had been referred bills Nos. 163, and 178, (A.)

Which was agreed to.

The speaker appointed Messrs. Wells and Ayers as a committee of conference on the part of the assembly on the disagreeing vote of the two houses to No. 99, (S.)

Mr. Alden, from the majority of the select committee to whom was referred

No. 73 (A.) A bill to provide for the location of a states prison;

Reported the same back to the assembly,

With amendments.

Mr. Kerr, from the committee on enrolled bills, submitted the following report:

The committee on enrolled bills report that they did on yesterday present to his excellency, the governor, for his approval

An act to establish a state road from Fond du Lac to Port Washington;

An act to organize the town of Chili in Fond du Lac county;

An act to declare certain roads in the town of Lisbon to be lawful highways;

An act to establish a state road from Neenah to Strong's landing;

An act to repeal an act to change the boundaries of the towns of Utica and Rushford in the county of Winnebago;

An act to change the name of the town of Butte des Mortes, in the county of Winnebago;

An act to organize the town of Vinland, in Winnebago county;

An act to declare the Fond du Lac river a navigable stream;

An act to provide for the publication of the revised statutes of this state;

An act to change the name of the village of Milford in Green county;

An act to incorporate the methodist episcopal church.

An act to appropriate to Wm. R. Smith the sum therein named.

Mr. White introduced the following resolution, which was adopted, to wit:

Resolved, That there be appointed three additional members of the committee on compilation, whose duty it shall be to attend the sittings thereof, note all changes in the laws made by said committee, and explain the same to this house, when bills are reported,

The speaker appointed Messrs. White, Barber, and Hastings as said committee.

The speaker laid before the assembly the following communication from the governor:

EXECUTIVE DEPARTMENT,
March 14th, 1849.

To the Assembly:

I have this day, approved, signed and deposited in the office of secretary of state, acts of the following titles, to wit:

An act to incorporate the Spring Valley academical association;

An act to consolidate and amend an act entitled "an act to incorporate Carroll College," approved January 31, 1846, and an act amendatory thereto, approved January 25th, 1847;

An act to prevent obstructions in Black river;

An act to cede jurisdiction to the United States over lands to be occupied as sites of light-houses within this state;

An act to legalize the proceedings of a school meeting held in school district number two, in the town of Medina, in Dane county, and to raise an additional tax to build a school house;

NELSON DEWEY.

EXECUTIVE DEPARTMENT,
Madison, March 15th, 1849.

To the Assembly:

I have, on this day, approved, signed and deposited in the office of the secretary of state, acts of the following titles, to wit:

An act to organize the town of Chili in Fond du Lac county;

An act to declare the Fond du Lac river a navigable stream;

An act to declare certain roads in the town of Lisbon to be lawful highways;

An act to establish a state road from Fond du Lac to Port Washington;

An act to organize the town of Vinland, in Winnebago county;

An act to change the name of the town of Butte des Mortes, in the county of Winnebago;

An act to repeal an act to change the boundaries of the towns of Utica and Rushford in the county of Winnebago; and

An act to establish a state road from Neenah to Strong's landing;

NELSON DEWEY.

Mr. Reymert introduced

No. 180, (A.) A bill to provide for tribunals of conciliation, in and for the several towns in this state and the regulation therefor; and

No. 181, (A.) A bill to provide for tribunals of conciliation in and for the several counties in this state, and the regulation therefor;

Which were severally read the first and second times.

Mr. Reymert moved that said bills, Nos. 180 and 181. (A.) be referred to a select committee of five.

Which was agreeed to.

The speaker appointed Messrs. Reymert, Parkinson, Hazard, Pike, and Noble, as said committee.

Mr. Martin, from the select committe to whom the said bill had been referred reported back to the assembly

No. 153, (A.) A bill supplementary to an act to authorize Thomas P. Williams and others to build a bridge;

With amendments.

The amendments of the committee to said bill were adopted.

Mr. White moved that the rules be suspended and that said bill be read the third time and passed now;

Which was agreed to.

The said bill, No. 153. (A.) was read the third time, passed, and the title thereof agreed to.

Mr. Daugherty moved that bill No. 162 (A,) be referred to the select committee to whom petitions for laberer's lien had been referred;

Which was agreed to.

Mr. Wells from the committee of conference on the disagreeing vote of the two houses on No. 98, (A.) submitted the following report, which was adopted;

The committee of conference on the disagreeing vote of the two houses, on

No. 98, (A.) A bill in relation to the law of roads and the regulation of public carriages,

REPORT

That they have had the same under consideration and recommend the following action: that the senate recede from their first amendment, and the assembly concur in the second smendment of the senate to the bill.

JOHN M. WELLS,
G. H. LOWN,
Assembly.
ASA KINNEY,
DENNIS C. MURPHY,
Senate.

Under the rule

The assembly resolved itself into committee of the whole for the consideration of

No. 102, (A.) A bill in relation to the formation of corporations, for manufacturing, lumbering, mechanical and chemical purposes.

Mr. Kerr in the chair.

And after some time spent therein the committee rose and by their chairman reported said bill back to the assembly

Without amendment.

Mr. Barber moved that the rules be suspended and that said bill be read the third time time and passed now;

Which was agreed to.

The said bill was read the third time.

And the question, "shall the bill pass?"

Having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Alden, Barber, Bird, Colwell, Colley, Clark, Crandall, Crawford, Cross, Dick, Fagan, Flynn, Solon Johnson, Kerr, Kimball, King, Martin, Nute, Page, Pope, Pratt, Thomas, Toland, Turck. Warren, Wells, Willard, and Young—28.

Those who voted in the negative were

Messrs. Ayers, Chase, Daugherty, Gillilan, Hazard, Hill, Keuhn, Noble, Parkinson, Pierce, Pike, Reymert, Rockwell, Wasson, and Hobart, (speaker.)—16.

The title of said bill was then agreed to.

Mr. Alden presented the petition of Wm. A, Barstow and others on the subjcet of a states prison;

Which was referrrd to the committee on states prison.

Mr. Daugherty introduced the following resolution, which was adopted, to wit:

Resolved, That the committee on ways and means be instructed to bring in a bill providing for a loan sufficient to pay all state indebtedness.

On motion of Mr. Wells,

The assembly resolved itself into committee of the whole for the consideration of

No. 127, (S.) A bill relating to improvement on real estate;

Mr. Warren in the chair.

And after some time spent therein the committee rose and by their chairman reported said bill back to the assembly

Without amendments.

The said bill was then ordered to be read the third.

On motion of Mr. Wells,

The assembly resolved itself into committee of the whole for the consideration of

No. 128, (S.) A bill for the relief of insolvent debtors;

Mr. Pratt in the chair.

And after some time spent therein the committee rose, and by their chairman reported said bill back to the assembly

Without amendment.

And the question being on ordering the said bill to be engrossed and read the third time;

Mr. Clark moved that said bill be referred to a select committee of five;

Which was agreed to.

The speaker appointed Messrs. Clark, Colwell, Colley, King, and Daugherty as said committee.

Mr. Barber, from the committee of conference on the disagreeing vote of the two houses on No. 135, (A.) submitted the following report, which was adopted:

The committee of conference on the disagreeing vote of the two houses on the amendment made by the senate to bill No. 135, assembly file, entitled a bill to amend an act to provide for levying and collecting state revenues, approved August 1st, 1848, would report that they recommend the assembly to recede from their vote in which they disagreed to the amendment of the senate to said bill.

O. W. NORTON,
DENNIS MURPHY,
Of the Senate.
H. BARBER,
JOHN M. WELLS,
Of the Assembly.

Mr. Kelsey, from the majority of the committee to whom had been referred

No. 70, (A.) A bill to prevent imposition in the sale of medicenes;

Reported said bill back to the assembly without amendment and recomending the passage thereof.

The question being on ordering said bill to be engrossed and read the third time,

Mr. Thomas moved that said bill be recommitted to the select committee to whom had previously been referred;

Which was agreed to.

The speaker appointed Mr. Thomas as chairman of said committee.

No. 127, (S.) A bill relating to improvements on real estate.

No. 102, (S.) A bill to incorporate the first Christian society in the town of Monroe, in Green county; and

No. 110, (S.) A bill to amend an act entitled an act to incorporate the village of Madison.

Were severally read the third time, passed, and the titles thereof agreed to.

Mr. Turck, from the select committee to whom the same had been referred reported back to the assembly

No. 123, (A.) A bill to provide for building a bridge, across the Milwaukee river on the county line dividing the counties of Milwaukee and Washington.

With amendments.

The amendments of the committee were adopted ; and

The said bill ordered to be engrossed and read the third time.

Mr. Kerr, from the minority of the committee to whom had been referred bill No. 73, (A.) submitted the following report, which was accepted :

A minority of the select committee to whom was referred No. 73, (A.) A bill in relation to a states' prison;

Has had the same under consideration, and respectfully

REPORT:

That it is inexpedient to legislate any further on the subject at this session than to appoint one or more commissioners to collect such information as may be deemed proper and report to the next legislature.

Your committee are also of opinion that the subject is one of great importance and should not be gone into hastily, also, that the state's financial affairs are such as would not warrant in making any heavy expenditures at this time, and further, that by delaying another year, there is a fair prospect of receiving some aid from congress,

JOSEPH KERR.

The question being on ordering bill

No. 166, (A.) A bill to authotize the old abolition party of the town of Lisbon to hold caucusses, and to adopt their own constitution with all its rights and privileges ;

To be engrossed and read the third time,

Mr. Thomas moved that said bill be referred to a select committee of four ;

Which was agreed to.

The speaker appointed Messrs. Thomas, Nute, Flynn, and Barber as said committee.

Mr. Clark, from the select committee to whom had been referred

No. 128, (S.) A bill for the relief of insolvent debtors ;

Reported said bill back to the assembly without amendments recommending the passage thereof.

Mr. Hazard moved that the rules be suspended and that said bill be read the third time and passed now;

Which was agreed to.

The said bill was then read the third time, passed, and the title thereof agreed to.

Mr. Daugherty, from the committee on engrossedbills, reported as correctly engrossed

No. 150, (A.) A bill to provide for the publication of certain laws.

On motion of Mr. Wells,

The assembly resolved itself into committee of the whole for the consideration of the general file of bills,

Mr. King in the chair.

And after some time spent therein the committee rose and by their chairman reported back to the assembly

No. 84, (S.) A bill to appropriate to Seymour & Varney, Timothy Robertson, James Helpin, the sums therein named,

Without amendment, and

No. 8, (A.) Joint resolutions relative to a proposed amendment to the constitution of the United States, concerning post masters, and

No. 73, (A.) A bill to provide for the location of a state's prison.

With amendment.

The said bill was, No. 84 (S.) was ordered to be read the third time.

The amendment of the committee of the whole to joint resolution No. 8 (A.) was concurred in, and the said resolution ordered to be engrossed and read the third time.

The question being on concurring in the amendment of the committee of the whole to said bill, No. 73, (A.)

On motion of Mr. Solon Johnson,

The assembly adjourned.

FRIDAY, March 16th, 1849.

Prayer by the Rev. Mr. Penman.

Mr. Cross, from the committee on compilation of the laws, reported

No. 182, (A.) A bill relating to courts held by justices of the peace;

Which was read the first and second times.

Mr. Cross moved that said bill be laid upon the table and ordered to be printed;

Which was agreed to.

Mr. Bowrŏn moved that the vacancy in the committee on laborer's lien, occasioned by the absence of Mr. Alden be filled;

Which was agreed to.

The speaker appointed Mr. Martin, to fill said vacancy.

On motion of Mr. Lown,

The assembly resolved itself into committee of the whole for the further consideration of

No. 118, (A.) A bill to fix the times for holding circuit courts;

Mr. Lown in the chair.

And after some time spent therein the committee rose and by their chairman reported the said bill back to the assembly, without amendment.

The said bill was ordered to be engrossed and read the third time.

Mr. Barber, from the select committee to whom had been referred

No. 107, (S.) A bill in relation to testimony and depositions;

Reported the same back to the assembly,

Without amendment.

Mr. Barber moved that the rules be suspended and that said bill be read the third time and passed now;

Which was agreed to.

The said bill was then read the third time, passed, and the title thereof agreed to.

Mr. Daugherty, from the committee on engrossed bills, reported as correctly engrossed

No. 118 (A.) A bill to fix the times for holding circuit courts;

The said bill, No. 118, (A.) was then read the third time, passed, and the title thereof agreed to.

No. 73, (A.) A bill to provide for the location of a state's prison,

Being under consideration,

And the question being on concurring in the amendments of the committee of the whole to said bill,

Mr. Kerr moved to amend said bill, by striking out all after the enacting clause and insert, as follows:

That there shall be elected three commissioners by a joint convention of the two houses of the legislature, whose duty it shall be to collect such information in regard to the location, best mode of construction, discipline and employment of convicts in a state prison, and such other information as they may deem proper in relation to building a state's prison, and report to the next legislature.

Mr. Bowron moved to amend the amendment by striking out that portion referring to the election by the legislature and insert "appointed by the governor;"

Which was accepted.

Mr. Crawford moved to amend the amendment, by striking out the words "appointed by the governor" and insert "elected by the legislature;"

Which was agreed to.

The speaker decided the question to be divisible.

The question being on striking out all after the enacting clause,

Having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Bird, Bowron, Chase, Crandall, Crawford, Daugherty, Gillilan, Hazard, Solon Johnson, Kerr, Leland, Meade, Noble, Page, Parkinson, Pierce, Pratt, Rickerson, Roys, Sugden, Therp, Willard, and Young,—23.

Those who voted in the negative, were

Messrs. Ayers, Barber, Colwell, Colley, Clark, Cross, Fagan, Flynn, Hastings, Hill, Juneau, Kelsey, Keuhn, King, Lown, Martin, Nute, Phelps, Pike, Pope, Reymert, Rockwell, Toland, Townsend, Turck, Warren, Wasson, Wells, White, and Hobart, (speaker,)—28.

The amendments of the committee to said bill, were concurred in.

And the question being on ordering said bill to be engrossed and read the third time,

Mr. Daugherty moved the previous question;

Which was seconded.

And the question,

"Shall the main question be now put?"

Having been put,

It was decided in the affirmative.

And the question being on ordering said bill to be engrossed and read the third time,

Having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Ayers, Barber, Colwell, Clark, Cross, Fagan, Flynn, Hastings, Hill, Juneau, Kelsey, Keuhn, Kimball, King, Lown, Martin, Nute, Phelps, Pike, Pope, Reymert, Rockwell, Toland, Townsend, Turck, Warren, Wasson, Wells, White, Young and Hobart, (speaker,)—29.

Those who voted in the negative, were

Messrs. Bird, Bowron, Chase, Crandall, Crawford, Daughery, Gillilan, Hazard, Solon Johnson, Kerr, Leland, Noble, Page, Parkinson, Pierce, Pratt, Rickerson, Roys, Sugden, Thorp, and Willard—21.

Mr. Reymert, from the select committee, to whom had been referred

No. 180, (A.) A bill to provide for tribunals of conciliation in and for the several towns in this state and the regulation thereof; and

No. 181, (A.) A bill to provide for tribunals of conciliation in and for the several counties in this state and the regulation thereof, Reported the same back without amendment, and recommended the passage thereof.

Mr. Pratt moved that said bills be laid upon the table and ordered to be printed;

Which was agreed to.

Mr. Clark, from the committee on roads, bridges and ferries, to whom had been referred the petition of Francis Hannegan and others,

Reported adversely to the prayer of said petitioners.

Mr. Hastings, from the joint enrolling committee, on bills of revisers and compiling committee, reported as correctly enrolled

No. 145, (A.) A bill concerning oaths;

No. 116. (A.) A bill in relation to homicide;

No. 86, (S.) A bill in relation to the disposition of unclaimed property,

No. 85, (S.) A bill in relation to strays;

No. 126, (A.) A bill concerning the nature of estates in lands, and of uses and trusts;

The speaker laid before the assembly the following communication from the secretary of state:

SECRETARY'S OFFICE,
March 16, 1849.

Hon. H. C. Hobart, Speaker of the Assembly:

SIR:—The undersigned has the honor to acknowledge the receipt of a resolution of the assembly requesting him "forthwith to report to the legislature whether the printing thus far done by the state printer, corresponds with the samples in his office, and under which the contract was made, and whether the state printer has not violated his contract." And in reply thereto would respectfully

REPORT:

That samples only of laws, journals, bills, and reports printed this session with the samples. I observe that in the samples of reports the title is given on the upper half of the first page, and the remainder of the report filled up with solid matter, while in the printed reports of this session, as far as received at this office, the first page is devoted exclusively to the title leaving the second page blank, and in some reports before me there is only three pages, (and they are not full) of printed matter in an eight page report. I think that on an average there is a difference in reports of committees of from one half to one third, the reports of officers are better done.

The printed bills furnished this session upon comparison show that they are printed with much smaller type than that used for printing the sample; the space between the lines is from one-third to one quarter wider, and in the assembly bills upon the first page there is only from two to four lines after the title, while the sample has eleven lines; the senate bills range from three to seven lines upon the first page.

The work performed thus far by the state printer is not in accordance with the samples under which the contract was made.

With great respect,
Your obedient servant,
THOMAS McHUGH,
Secretary of State.

On motion of Mr. White,

The said communication was referred to the committee on printing.

Mr. White introduced the following resolution, which was adopted:

Resolved, That the committee on printing, be, and they are hereby instructed to take into consideration the communication of the secretary of state, this day referred to said committee, relating to the contract with the state printer, and report to this house as soon as practicable whether any action of the legislature is necessary to protect the interests of the state in the premises.

Mr. Cross, from the committee on compilation of laws, reported

No. 183, (A.) A bill to provide for recording contracts relating to land;

No. 184, (A.) A bill to restrain pedlars, and other persons from trading without license; and

No. 185, (A.) A bill in relation to mills and mill dams;

Which were severally read the first and second times.

Mr. Kelsey, from the select committee to whom had been referred

No. 178, (A.) A bill concerning judgments and executions, Reported said bill back to the assembly,

With an amendment.

The amendment of the committee to said bill,

Was concurred in.

Mr. Barber moved that the rules be suspended and that the said bill be read the time and passed now;

Which was agreed to.

The said bill was read the third time, passed, and the title thereof agreed to.

Mr. Daugherty, from the select committee to whom the same had been referred, reported back to the assembly

No. 3, (S.) Joint resolution relating to public lands,

With a substitute for the preamble;

Which was accepted.

A message from the senate by their chief clerk:

MR. SPEAKER:

I am directed to inform you that the senate has concurred in the passage of

No. 144, (A.) A bill concerning the action of replevin.

No. 117, (A.) A bill in relation to crimes and the punishment therefor; and

No. 94, (A,) bill to amend an act entitled "an act to incorporate the Lawrence Institute, of Wisconsin;"

Without amendments.

And has appointed Messrs. Fisher and Goodell a joint committee of conference on the part of the senate on the disagreeing vote of the two houses on the amendments of assembly to bill

No. 99, (S) A bill in relation to highways and bridges.

And that senate has refused to adopt the report of the joint committee of conference on the disagreeing vote of the two houses on the amendments of Senate to bill

No. 135. (A.) A bill to amend an act to provide for levying a state revenue. approved August 1st, 1848.

And has passed

No. 91, (S.) A bill relating to the sale of spiritous liquors;

No. 125, (S.) A bill to change the name of the First Presbyterian Society of Whitewater and vicinity, and to confer certain powers on said society; and

No. 113, (S.) A bill to authorize Alvah Culver to keep and maintain a ferry across the Wisconsin river.

In which the concurrence of the assembly is requested.

And has concurred in the passage of

No. 88, (A.) A bill to authorize the recording of the town plat of the town of Belmont, in Lafayette county, and for other purposes;

With an amendment;

In which the concurrence of the assembly is requested.

I am directed to inform you

That the governor has returned to the senate, in which the bill originated,

An act to provide for a final settlement with the Milwaukee and Rock river Canal company,

With his objections to the bill in writing.

And that the senate on re-consideration has negatived said bill.

I am directed to inform you that the senate has passed bills

No. 130, (S.) Of the support of bastards; and

No. 131, (S.) Of inquests of the dead.

In which the concurrence of the assembly is requested.

And has adopted the following resolution:

Joint resolution to meet in convention,

With an amendment.

In which the concurrence of the assembly is requested.

And has concurred in the amendment of assembly to

No. 37, (S.) A bill to amend an act entitled "an act to provide for the improvement of the Fox and Wisconsin rivers, and connecting the same by a canal, approved August 8th, 1848;

With an amendment.

In which the concurrence of the assembly is requested.

Mr. Barber, from the select committee to whom had been referred

No. 166, (A.) A bill to authorize the old abolition party of the town of Lisbon to hold caucusses and adopt their old constitution with all its rights and privileges.

Reported the same back to the assembly recommending the adoption of the substitute therewith reported.

Which report was accepted.

Under the rule,

The assembly resolved itself into committee of the whole for the consideration of the special file of bills,

Mr. Kerr in the chair.

After some time spent therein the committee rose, and by their chairman, reported said bills back to the assembly

No. 183, (A.) A bill to provide for recording contracts relating to lands;

Without amendments.

No. 184, (A.) A bill to restrain pedlars and others from trading without license; and

No. 185, (A.) A bill in relation to mills and mill dams;

With amendments.

The said bill No. 183, (A.) was referred to the select committee to whom had been referred bill No. 178, (A.)

The question on concurring in the amendment of the committee to said bill No. 184, (A.) which was to strike out the enacting clause,

Having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Ayers, Barber, Chase, Colwell, Colley, Crandall, Crawford, Daugherty, Fagan, Hazard, Kelsey, Kerr, Keuhn, King, Kimball, Lown, Noble, Page, Parkinson, Phelps, Pierce, Pike, Pratt, Reymert, Rickerson, Roys, Strong, Thorp, Toland, Turck, Warren, Wasson, Willard and Hobart, (speaker)—34.

Those who voted in the negative, were

Messrs. Bird, Burns, Clark, Crawford, Flynn, Hill, Solon Johnson, Leland, Nute, White and Young—11.

The question being on concurring in the amendment of the committee of the whole to said bill No. 185, (A.)

On motion of Mr. Noble,

The assembly adjourned until half past two, P. M.

HALF PAST TWO O'CLOCK, P. M.

Mr. Chase introduced the following resolution, which was adopted, to wit:

Resolved, That the use of the assembly room be granted to Mr. Ide this evening for the purpose of giving a concert.

Messages from the senate were taken up.

No. 91, (S.) A bill relating to the sale of spirituous liquors;

No. 113, (S.) A bill to authorize Alvah Culver to keep and maintain a ferry across the Wisconsin river; and

No. 125, (S.) A bill to change the name of the First Presbyterian Society of Whitewater and vicinity, and to confer certain powers on said society;

Were severally read the first and second times.

The amendments of senate to No. 88, (A.) were concurred in.

Mr. Burns presented

The remonstrance of John Mullanphy and others, against the petition for abolishing the office of chaplain.

Mr. Burns moved that said bill be laid upon the table;

Which was agreed to.

The message from the senate was taken up, and

No. 130, (S.) Of the support of bastards; and

No. 131, (S.) Of inquests of the dead;

Were severally read the first and second times.

The amendment of the senate to joint resolution relative to meeting in joint convention to elect a board of public works,

Was concurred in.

And the amendments of the senate to the substitute of the assembly to.

No. 37, (S.) A bill to amend an act entitled an act to provide for the improvement of the Fox and Wisconsin rivers, and connecting the same by a canal, approved August 8th, 1848.

Were also concurred in.

No. 150, (A.) A bill to provide for the publication of certain laws;

Was read the third time and passed.

And the question being on agreeing to the title of said bill,

Mr. Colley moved to amend the title as to read,

An act to authorize school district No. 5, in the town of Turtle, Rock county to levy a tax to build a school house;

Which was agreed to.

The title as amended was then agreed to.

No. 84, (S.) A bill to appropriate to John T. Wilson, Seymour & Varney, Dean & Co., Timothy Robertson, James

Helpin, H. A. Tenney, Henry C. Parker, and Thomas Dunn, the several sums therein named,

Was then read the third time.

And the question on the passage of the same,

Having been put, (three fifths of the assembly being present,)

It was decided in the affirmative.

Those who voted in the affirmative were

Messrs. Ayers, Barber, Bowron, Burns, Chase, Colwell, Colley, Clark, Crandall, Crawford, Daugherty, Fagan, Flynn, Gillilan, Hastings, Hazard, Hill, Solon Johnson, Juneau, Kelsey, Kerr, Keuhn, Kimball, King, Leland, Lown, Martin, Meade, Nute, Page, Parkinson, Phelps, Pierce, Pike, Pope, Pratt, Reymert, Rickerson, Rockwell, Roys, Sugden, Thorp, Toland, Townsend, Turck, Warren, Wells, White, Willard, Young, and Hobart, (speaker)—51.

Mr. Wasson voted in the negative.

On motion of Mr. Hill,

The assembly resolved itself into committee of the whole for the consideration of the general file of bills,

Mr. Chase in the chair.

And after some time spent therein the committee rose and by their chairman reported

No. 91, (S.) A bill relating to the sale of spirituous liquors;

No. 113, (S.) A bill to authorize Alvah Culver to keep and maintain a ferry across the Wisconsin river;

No. 125, (S.) A bill to change the name of the First Presbyterian Society of Whitewater and vicinity, and to confer certain powers on said society;

No. 166, (A.) A bill to authorize the old abolition party of the town of Lisbon to hold caucuses and adopt their old constitution with all its rights and privileges; and

No. 3, (S.) Joint resolution relating to public lands;

Without amendment. And

No. 174, (A.) A bill to provide for laying out certain roads therein described;

With amendments.

The said bills No. 113 and 125, (S.) and joint resolution No. 3, (S.)

Were severally ordered to be read the third time.

Said bill No. 166, (A.) was ordered to be engrossed and read the third time.

And the question being on ordering said bill No. 91. (S.) to be read the third time,

Mr. Clark moved that the enacting clause of said bill be stricken out.

And the question

Having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Ayres, Barber, Clark, Fagan, Flynn, Hill, Solon Johnson, Juneau, Keuhn, Kimball, Rickerson, and Roys,—12.

Those who voted in the negative, were

Messrs. Bowron, Burns, Chase, Colwell, Colley, Crandall, Crawford, Daugherty, Gillilan, Hastings, Hazard, Kelsey, Kerr, King, Leland, Lown, Martin, Meade, Noble, Nute, Page, Parkinson, Phelps, Pierce, Pike, Pope, Pratt, Reymert, Rockwell, Sugden, Thorp, Toland, Townsend, Turck, Warren, Wasson, Wells, White, Willard, Young and Hobart, (speaker,)—41.

Mr. Clark moved that said bill be indefinitely postponed.

And the question

Having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Ayres, Barber, Clark, Fagan, Hill, Solon Johnson, Kuehn, Kimball, King, and Rickerson—10.

Those who voted in the negative, were

Messrs. Bird, Bowron, Burns, Chase, Colwell, Colley, Crandall, Crawford Daugherty, Flynn, Gillilan, Hastings, Hazard, Juneau, Kerr, Leland, Lown, Martin, Meade, Noble, Nute, Page, Parkinson, Phelps, Pierce, Pike, Pope, Pratt, Reymert, Rockwell. Roys, Sugden, Thorp, Toland, Townsend, Turck, Warren, Wasson, Wells, White, Willard, Young, and Hobart, (speaker.)—43.

Mr. Ayres moved that said bill be laid upon the table;

Which was disagreed to.

And the question being on ordering said bill to be read the third time,

Having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Bowron, Burns, Colwell, Colley, Crandall, Crawford, Daugherty, Gillilan, Hastings, Hazard, Kelsey, Kerr, Leland, Lown, Martin, Meade, Noble, Nute, Page, Parkinson, Phelps, Pierce, Pike, Pope, Pratt, Reymert, Rockwell, Sugden, Thorp, Townsend, Turck, Warren, Wasson, Wells, White, Willard, and Young—37.

Those who voted in the negative, were

Messrs. Ayres, Barber, Bird, Chase, Clark, Fagan, Flynn, Hill, Solon Johnson, Juneau, Kimball, King, Rickerson, Roys, Toland, and Hobart, (speaker.)—17.

Mr. Wells moved that the rules be suspended and that said bill be put upon its passage now.

And the question

Having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Bowron, Burns, Colwell, Colley, Crandall, Crawford, Daugherty, Gillilan, Hastings, Hazard, Kelsey, Kerr, Leland, Noble, Nute, Page, Parkinson, Pierce, Pike, Pratt, Reymert, Roys, Sugden, Thorp, Townsend, Turck, Warren, Wasson, Wells, White, Willard, and Hobart, (speaker,)—31.

Those who voted in the negative were

Messrs. Ayres, Barber, Bird, Chase, Clark, Fagan, Flynn, Hill, Solon Johnson, Juneau, Keuhn, Kimball, King, Lown, Martin, Meade, Pope, Rickerson, Rockwell, Toland, and Young—21.

The amendments of the committee of the whole to No. 174, (A.) were concurred in.

And the question being on ordering said bill to be engrossed and read the third time,

Mr. Parkinson moved that the bill be referred to a select committee of three;

Which was agreed to.

The speaker appointed Messrs. Pierce, Page and Young as said committee.

Mr. Cross from the committee on compilation, reported

No. 186, (A.) A bill to prevent the sale of intoxicating liquor to Indians;

No. 187, (A.) A bill relating to the admission of attorneys at law;

No. 188, (A.) A bill in relation to printing; and

No. 189, (A.) A bill concerning county surveyors;

Which were severally read the first second times.

On motion of Mr. Hobart,

Said bill No. 186, (A.) was referred to the select committee to whom was referred No. 163, and 178, (A.)

Mr. Kelsey from the select committee to whom was referred

No. 163, (A.) A bill concerning proceedings in chancery;

Reported the same back to the assembly with an amendment.

Which report was adopted.

Mr. Kelsey moved that the rules be suspended, and that the said bill be put upon its passage now;

Which was agreed to.

The said bill was then read the third time, passed, and the title thereof agreed to.

On motion of Mr. Pope,

No. 131, (A.) A bill to organize the town of La Prairie in the county of Rock;

Was taken from the table.

The said bill No. 131, (A.) was then ordered to be engrossed and read the third time.

On motion of Mr. Roys,

The message of the senate accompanying

No. 121, (A.) A bill to divide the town of Dane, in Dane county,

Was taken from the table, and

The amendments of the senate to said bill were concurred in.

Mr. Daugherty, from the committee on engrossed bills, submitted the following report, to wit:

The committee on engrossed bills report as correctly engrossed,

No. 179, (A.) A bill to organize the town of Clayton in Winnebago county;

No. 173, (A.) A bill to alter the boundaries of certain towns in the county of Winnebago;

No. 8, (A.) Joint resolutions relative to a proposed amendment to the constitution of the United States, concerning post masters,

No. 108, (A.) A bill to divide the town of Brighton in the county of Winnebago;

No. 123, (A.) A bill to provide for building a bridge across the Milwaukee river on the county line dividing the counties of Milwaukee and Washington.

No. 170, (A.) A bill to alter a road in Winnebago county;

No. 140, (A.) A bill to authorize the construction of a bridge across Fox river;

No. 141, (A.) A bill to authorize the construction of a bridge across Fox river;

No. 172, (A.) A bill to change the name of the town of Lexington and village of Dartford, and to vacate the alleys in said village;

No. 7, (A.) Joint resolution relative to seals.

No. 164, (A.) A bill relative to seals;

No. 161, (A.) A bill for the relief of persons confined in jail on civil process;

A message from the senate by their chief clerk:

Mr. Speaker;

I am directed to inform you that the senate has passed

No. 115, (S.) A bill to change the name of the town of Juneau, in the county of Dodge;

No. 116, (S,) A bill to provide for the final settlement with the Milwaukee and Rock river canal company;

No. 123, (S.) A bill to provide for the publication of certain laws;

No. 133, (S.) An act for the partition of lands owned by several persons, and on waste;

In which the concurrence of the assembly is requested.

And that senate has concurred in the passage of

No. 85, (A.) A bill to organize the town of Primrose and Perry in Dane county into separate towns;

No. 100 (A.) A bill to organize the town of Buena Vista in the county of Richland;

No. 102, (A.) A bill in relation to the formation of corporations, for manufacturing, lumbering, mechanical and chemical purposes.

No. 7, (A.) A memorial to the president of the United States asking that measures may be taken to prevent depredations by Indians;

No. 122, (A.) A bill submitting the question of the extension of the right of suffrage to a vote of the people;

No. 133, (A.) A bill in relation to certain school districts in Fond du Lac county;

No. 132, (A.) A bill declaring a certain road in the town of Rosendale in Fond du Lac county to be a lawful highway;

No. 142, (A.) A bill to repeal an act entitled an act to amend an act to organize school district No 1, in Fond du Lac for special purposes, approved Feb. 10, 1847, and all acts relating to the same subject.

No. 151, (A.) A bill for an act to organize a school district in the town of Sun Prairie, in Dane county;

No. 148, (A.) A bill to amend an act, approved August 19th, 1848, entitled an act to organize the several towns therein named;

No. 149, (A.) A bill to legalize a certain road therein named;

Without amendments.

And has re-considered its vote by which it had refused to adopt the report of the joint committee of conference on the disagreeing vote of the two houses on bill

No. 135, (A.) A bill to amend an act to provide for levying a state revenue, approved Aug. 1st, 1848.

And has adopted said report.

The message from the senate was then taken up,

And the said bills, No. 115, 116, 123, and 133, (S,) were severally read the first and second times,

Mr. Kerr, from the committee on enrolled bills, submitted the following report, to wit:

The committee on enrolled bills report that they have examined

No. 46, (A.) A bill to appropriate to Daniel Noble Johnson the sum therein named:

No. 20, (S.) A bill to establish a state road through a part of Iowa, Richland and Sauk counties;

No. 135, (A.) A bill to amend an act to provide for levying a state revenue, approved Aug. 1st. 1848;

No. 125, (A.) A bill for an act to legalize the proceedings of a school meeting held in school district No. 1, in the town of Waterloo, Jefferson county;

No. 119, (A.) A bill to change the name of the village of Harazthy in Sauk county;

No. 82, (A.) A bill to divide the town of Cottage Grove, in Dane county, into two separate towns;

And find them correctly enrolled.

Mr. Wells moved that the rules be suspended, and that

No. 116, (S.) A bill to provide for a final settlement with the Milwaukee and Rock river canal company.

And pending the question thereon,

On motion of Mr. Lown,

The assembly adjourned.

SATURDAY, March 17th, 1849.

Prayer by the Rev. Mr. Lord.

The pending question being on concurring in the amendment of the committee of the whole to

No. 185, (A.) A bill in relation to mills and mill dams;

Which was to strike out the enacting clause.

Mr. Nute moved that said bill be referred to the committee on the judiciary;

Which was disagreed to.

Mr. Hobart moved that the bill be referred to a select committee of three;

Which was agreed to.

The speaker appointed Messrs. Nute, Kelsey and Daugherty as said committee.

A message from the senate by their chief clerk:

Mr. Speaker:

I am directed to inform you that the senate has passed

No. 108, (S.) A bill to incorporate the Walworth county academy;

No. 112. (S.) A bill relating to pleadings in certain cases;

No. 121, (S.) A bill to declare certain roads in Rock county lawful highways;

In which the concurrence of the assembly is requested.

Under the rule,

The assembly resolved itself into committee of the whole for the consideration of the special file of bills,

Mr. Reymert in the chair.

After some time spent therein the committee rose, and by their chairman, reported back to the assembly

No. 176, (A.) A bill relating to the several counties of the state;

No. 188, (A.) A bill in relation to printing;

No. 189, (A.) A bill concerning county surveyors;

No. 187, (A.) A bill relating to the admission of attorneys at law;

No. 130, (S.) Of the support of bastards;

No. 131, (S.) Of inquests of the dead; and

No. 133, (S.) An act relating to the partition of lands owned by several persons and on waste;

Without amendment.

The question being on ordering said bill No. 176, (A.) to be engrossed and read a third time,

On motion of Mr. Hobart,

Said bill was laid upon the table.

The question being on ordering said bill No. 187, (A.) to be engrossed and read the third time,

Mr. Hastings moved that said bill be referred to a select committee of three;

Which was agreed to.

The question being on ordering said bill No. 188, (A.) to be engrossed and read a third time,

Mr. Hobart moved that said bill be referred to the committee on printing;

Which was agreed to.

The said bill No. 189, (A.) was ordered to be engrossed and read the third time.

The said bills Nos. 130, 131, and 133, (S.) were severally ordered to be read the third time.

The said bills, Nos. 130, 131, and 133, (S.) were severally read the third time, passed, and titles thereof severally agreed to.

Mr. Burns presented

A remonstrance of citizens of Richland county against the organization of said county;

Which was referred to the committee on town and county organization; also

The petition of J. H. Wallace and others for a ferry charter;

Referred to the committee on roads, bridges, and ferries.

Mr. Townsend moved that the senate be requested to return No. 37, (S.) to the assembly;

And the question on the adoption thereof.

Having been put,

It was decided in the negative,

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Colley, Crawford, Daugherty, Flynn, Hastings, Kelsey, Lown, Martin, Meade, Nute, Page, Phelps, Pope, Pratt, Sugden, Townsend, Warren, Young and Hobart, (speaker.)—19.

Those who voted in the negative were

Messrs. Ayers, Barber, Bowron, Burns, Colwell, Fagan, Gillilan, Hazard, Hill, Kerr, King, Leland, Noble, Parkinson, Pierce, Pike, Roys, Toland, Turck, Wasson, and Willard,—21.

A message from the senate by their chief clerk:

Mr. SPEAKER:

I am directed to inform you that the senate has concurred in the passage of

No. 178, (A.) A bill concerning judgments and executions,

Without amendment, and in

No. 18, (A.) A bill concerning the proceedings in chancery; and

No. 66, (A.) A bill to legalize the proceedings of the collector in Addison,

With amendments to each,

In which the concurrence of the assembly is requested:

No. 165, (S.) A bill to provide for a final settlement with the Milwaukee and Rock River Canal Company;

Was read the third time.

And the question being on the passage of the same,

Mr. Barber moved that said bill be referred to a select committee of three;

And pending the question thereon,

On motion of Mr. Daugherty,

The assembly adjourned until half past two, P. M.

HALF PAST TWO O'CLOCK, P. M.

The speaker laid before the assembly a communication from the governor which was read as follows, to wit:

EXECUTIVE DEPARTMENT,
March 17th, 1849.

To the Assembly:

I have this day, approved, signed and deposited in the office of secretary of state, acts of the following titles, to wit:

An act to appropriate to Daniel Noble Johnson the sum therein named;

An act to divide the town of Cottage Grove in Dane county, into two separate towns;

An act to change the name of the village of Harazthy in Sauk county, Westfield; and

An act to legalize the proceedings of a school meeting held in district No. 1, in the town of Watertown, Jefferson county.

NELSON DEWEY.

No. 91, (S.) A bill relating to the sale of spiritous liquors;

Was read the third time.

And the question being on the passage of the same,

Mr. Ayres moved that said bill be referred to the committee on the judiciary;

And the question having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Ayers, Barber, Bird, Bowron, Chase, Colwell, Cross, Flynn, Hill, W. H. Johnson, Solon Johnson, Kelsey, Keuhn, Kimball, King, Lown, Martin, Meade, Pope, Rickerson, Rockwell, Thorp, Toland, Wells, White and Hobart, (speaker)—26.

Those who voted in the negative, were

Messrs. Burns, Colley, Crawford, Daugherty, Fagan, Gillilan, Hastings, Hazard, Kerr, Leland, Noble, Nute, Page, Parkinson, Phelps, Pierce, Pike, Pratt, Reymert, Sugden, Townsend, Warren, Wasson, Willard and Young—25.

Mr. Cross, from the committee on compilation, reported

No. 190, (A.) A bill in relation to probate courts: and

No. 191, (A.) A bill in relation to medical societies, and for the promotion of medical science;

Which were severally read the first and second times.

Mr. Martin, by leave, introduced

No. 192, (A.) A bill to vacate part of the plat of the city of Superior.

Which was read the first and second times

No. 113, (S.) A bill to authorize Alvah Culver to keep and maintain a ferry across the Wisconsin river;

Was read the third time.

And the question being on the passage thereof

Mr. Burns moved that said bill be laid on the table;

Which was agreed to.

No. 125, (S.) A bill to change the name of the First Presbyterian Society of Whitewater and vicinity, and to confer certain powers on said society;

Was read the third time, passed, and the title thereof agreed to.

No. 3, (S.) Joint resolution relating to public lands;

Was read the third time;

And the question on the passage thereof

Having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Ayers, Barber, Bird, Bowron, Burns, Colwell, Colley, Crawford, Daugherty, Fagan, Gillilan, Hastings, Hazard, Hill, Solon Johnson, Kelsey, Kerr, Kimball, King, Leland, Lown, Martin, Meade, Noble, Page, Parkinson, Phelps, Pierce, Pope, Pratt, Reymert, Rickerson, Rockwell, Strong, Sugden, Thorp, Toland, Townsend, Warren, Wasson, White, Willard, Young and Hobart, (speaker)—44.

Those who voted in the negative, were

Messrs. Chase, Flynn, W. H. Johnson, Keuhn, Nute, Pike, and Wells—7.

The title of said resolution was then agreed to.

No. 108, (A.) A bill to divide the town of Brighton in the county of Winnebabo;

No. 123, (A.) A bill to provide for building a bridge across the Milwaukee river on the county line dividing the counties of Milwaukee and Washington;

No. 170, (A.) A bill to alter a road in Winnebago county;

No. 172, (A.) A bill to change the name of the town of Lexington, in the village of Dartford and to vacate the alleys of said village;

No. 173, (A.) A bill to alter the boundaries of certain towns in the county of Marquette; and

No. 179, (A.) A bill to organize the town of Clayton;

Were severally read the third time, passed, and the titles thereof agreed to.

No. 140, (A.) A bill to authorize the construction of a bridge across Fox river;

Was read the third time.

And the question being on the passage thereof,

Mr. Clark moved that the first blank in section two be filled with the word "fifty," and that the second blank in said section be filled with the word "eight;"

Which was agreed to.

The said bill was then passed, and the title thereof agreed to.

No. 141, (S.) A bill to authorize the construction of a bridge across Fox river;

Was read the third time.

And the question being on the passage thereof,

Mr. Clark moved that the first blank in section two be filled with the word "fifty," and the section blank in said section be filled with the word "eight;"

Which was agreed to.

No. 8, (A.) Joint resolution relative to a proposed amendment of the constitution of the United States concerning post masters;

Was then read the third time.

And the question on the passage of the resolution

Having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Ayers, Barber, Bird, Bowron, Burns, Colwell, Colley, Cross, Daugherty, Flynn, Gillilan, Hastings, Hazard, Solon Johnson, Juneau, Kelsey, Kerr, Keuhn, Kimball, King, Leland, Martin, Meade, Noble, Page, Parkinson, Phelps, Pierce, Pope, Pratt, Reymert, Ross, Strong, Thorp, Toland, Warren, Wasson, White, Willard, Young and Hobart, (speaker,)—42.

Those who voted in the negative, were

Messrs. Chase, Clark, Crawford, Fagan, Hill, Lowyn, Nute, Pike, Rickerson, Rockwell, Sugden, Townsend, and Wells,—13.

Mr. Cross, from the committee on the judiciary to whom the same had been referred, reported

No. 111, (S.) A bill for an act additional to an act to amend an act to authorize the further sale of canal lands, and for other purposes, and the act amendatory thereto, approved March 11, 1848;

Back to the assembly with an amendment.

The report was accepted.

Mr. Barber introduced the following resolution, which was adopted, to wit:

Resolved, That the honorable the senate be informed that the assembly are ready to meet them in joint convention in the assembly chamber for the election of a commissioner of the board of public works in place of Curtis Reed resigned."

The honorable senate was then announced, and the honorable senators having taken their seats

IN JOINT CONVENTION OF THE TWO HOUSES.

Mr. Warren Chase moved that the convention proceed to elect viva voce a commissioner of the board of public works, to fill the vacancy occasioned by the resignation of Mr. Curtis Reed;

Which was agreed to.

And the roll of the senate having been called,

Mr. Botkin voted for E. W. Drury.

Mr. Boyd voted for E. W. Drury.

Mr. Chase voted for E. W. Drury.

Mr. Cothren voted for E. W. Drury.

Mr. Fisher voted for Asa Kinney.

Mr. Gardner voted for E. W. Drury.

Mr. Goodell voted for E. W. Drury.

Mr. Kinney voted for Mr. Fisher.

Mr. Merrill voted for E. W. Drury.

Mr. Murphy voted for E. W. Drury.

Mr. Sholes voted for William Dickerson.

Mr. Sprague voted for W. T. Ward.

Mr. Williams voted for Walter H. Besley.

And the roll of the assembly having been called,

Mr. Ayres voted for William Dickinson.

Mr. Barber voted for E. W. Drury.

Mr. Bird voted for Mr. Besley.

Mr. Bowron voted for W. T. Ward.

Mr. Burns voted for E. W. Drury.

Mr. Chase voted for E. W. Drury.

Mr. Colwell voted for E. W. Drury.

Mr. Colley voted for E. W. Drury.

Mr. Clark voted for W. T. Ward.

Mr. Crawford voted for Hiram Rust.

Mr. Cross voted for W. T. Ward.

Mr. Daugherty voted for E. W. Drury.

Mr. Fagan voted for Benjamin H. Mooers.

Mr. Flynn voted for W. T. Ward.

Mr. Gilhilan voted for E. W. Drury.

Mr. Hastings voted for E. W. Drury.

Mr. Hazard voted for E. W. Drury.

Mr. Hill voted for Warren Chase.

Mr. W. H. Johnson voted for Wooster Harrison.

Mr. Juneau voted for Christopher Latham Sholes.

Mr. Kelsey voted for E. W. Drury.

Mr. Kerr voted for E. W. Drury.

Mr. Kuehn voted for B. H. Mooers.

Mr. Kimball voted for W. H. Besley.

Mr. King voted for W. H. Besley.

Mr. Leland voted for E. W. Drury.

Mr. Lown voted for E. W. Drury.

Mr. Martin voted for E. W. Drury.

Mr. Meade voted for Wm. Dickinson.

Mr. Noble voted for E. W. Drury.
Mr. Nute voted for W. H. Besley.
Mr. Page voted for E. W. Drury.
Mr. Parkinson voted for E. W. Drury.
Mr. Phelps voted for E. W. Drury.
Mr. Pierce voted for E. W. Drury.
Mr. Pike voted for E. W. Drury.
Mr. Pope voted for E. W. Drury.
Mr. Pratt voted for E. W. Drury.
Mr. Reymert voted for Guishcall Hallison.
Mr. Rickerson voted for W. T. Ward.
Mr. Rockwell voted for W. T. Ward.
Mr. Roys voted for E. W. Drury.
Mr. Strong voted for W. T. Ward.
Mr. Sugden voted for W. T. Ward.
Mr. Thorp voted for E. W. Drury.
Mr. Toland voted for B. H. Mooers.
Mr. Townsend voted for E. W. Drury.
Mr. Warren voted for E. W. Drury.
Mr. Wasson voted for John Flynn, Jr.
Mr. Wells voted for William T. Ward.
Mr. White voted for William T. Ward.
Mr. Willard voted for E. W. Drury.
Mr. Young voted for Lynnville Duly.
Mr. Hobart, speaker, voted for E. W. Drury.

Whole number of votes of given,			68
Necessary to a choice,			35
Of which	Erastus W. Drury,	received	36
	William T. Ward,	"	11
	Walter H. Besley,	"	6
	William Dickinson,	"	3
	Benjamin H. Mooers,	"	3
	Asa Kinney,	"	1
	John Flynn, Jr.,	"	1
	Wooster Harrison,	"	1
	Mr. Fisher,	"	1
	Guschall Hallison,	"	1
	Lynnville Duly,	"	1
	Warren Chase,	"	1
	Hiram Rust.	"	1

Erastus W. Drury, having received a majority of all the votes given for said office, was declared duly elected a commissioner of the board of public works, in place of Mr. Curtis Reed, resigned.

Mr. Cothren moved that the convention adjourn;

Which was agreed to.

Mr. Kerr, from the committee on enrolled bills, submitted the following report, to wit;

The committee on enrolled bills respectfully report, that they have examined

No. 79, (S.) A bill to incorporate the village of Watertown;

No. 100, (A.) A bill to organize the town of Buena Vista in the county of Richland;

No. 121, (A.) A bill to divide the town of Dane, Dane county;

No. 148, (A.) A bill to amend an act, approved August 19th, 1848, entitled an act to organize the several towns therein named;

No. 107, (A.) A bill to declare part of a state road to be a lawful highway;

No. 142, (A.) A bill to repeal an act entitled an act to amend an act to organize school district No. 1, in Fond du Lac for special purposes, approved February 10, 1847, and all other acts relating to the same subject;

No. 149, (A.) A bill to legalize a certain road therein named;

No. 88, (A.) A bill to authorize the recording of the town plat of the town of Belmont, in Lafayette county;

No. 133, (A.) A bill in relation to certain school districts in Fond du Lac county;

No. 151, (A.) A bill for an act to organize a school district in the town of Sun Prairie, Dane county;

No. 94, (A.) A bill to amend an act entitled "an act to incorporate the Lawrence Institute of Wisconsin;"

No. 37, (S.) A bill to amend an act entitled an act to provide for the improvement of the Fox and Wisconsin rivers, and connecting the same by a canal, approved August 8th, 1848;

No. 102, (S.) A bill to incorporate the first Christian society in the town of Monroe, in Green county;

No. 110, (S.) A bill to amend an act entitled an act to incorporate the village of Madison.

And find them correctly enrolled.

The said bills were thereupon signed by the speaker and transmitted to the senate.

On motion of Mr. Clark,

The assembly adjourned.

MONDAY, March 19th, 1849.

Prayer by the Rev. Mr. Penman.

Mr. Kelsey was excused from further service on the committees of the judiciary and legislative expenditures.

Mr. Bowron, from the special committee on laborer's lien, to whom the same had been referred, reported back to the assembly

No. 162, (A.) A bill on mechanic's lien,

With amendments, recommending the passage of the said bill.

Mr. Crawford moved that

No. 123, (S.) A bill to provide for the publication of certain laws;

Be taken from the general file and that the rules be suspended and said bill be read the third time and passed now;

Which was agreed to.

The said bill was then read the third time, passed, and the title thereof agreed to.

Mr. Cross, from the committee on compilation of laws, reported

No. 193, (A.) A bill to repeal all the acts which are consolidated in the revised statutes;

Which was read the first and second times, and

On motion of Mr. Cross,

Laid upon the table and ordered printed.

Mr. Cross, from the same committee, to whom had been referred

No. 186, (A.) A bill to prevent the sale of intoxicating liquor to Indians;

No. 183, (A.) A bill to provide for recording contracts relating to land,

Reported said bill, No. 186, (A.) back to the assembly, with an amendment.

And said bill, No. 183, (A.) without amendment, recommending the passage thereof.

The amendment of the senate to

No. 163, (A.) A bill concerning proceedings in chancery;

Was concurred in.

Mr. Clark, from the committee on roads, bridges and ferries, to whom had been referred

No. 137, (A.) A bill to vacate a certain road therein named,

Reported adversely to the passage of said bill.

No. 7, (A.) Joint resolution relative to seals.

Was read the third time.

Mr. Barber moved that the said resolutions be referred to the committee on the judiciary;

Which was agreed to.

No. 161, (A.) A bill for the relief of persons confined in jail on civil process;

No. 164, (A.) A bill relative to seals;

No. 189, (A.) A bill concerning county surveyors;

Were severally read the third time, passed, and the titles thereof agreed to.

Under the rule,

The assembly resolved itself into committee of the whole for the consideration of the file of bills under the special order.

Mr. Hazard in the chair.

And after some time spent therein the committee rose, and by their chairman reported back to the assembly

No. 162, (A.) A bill on mechanic's lien,

With amendments.

No. 183, (A.) A bill to provide for recording contracts relating to lands;

No. 186, (A.) A bill to prevent the sale of intoxicating liquors to Indians;

No. 190, (A.) A bill in relation to probate courts: and

No. 191, (A.) A bill in relation to medical societies, and for the promotion of medical science;

Without amendments.

The said bills No. 193 and 191, (A.) were severally ordered to be engrossed and read the third time.

Mr. Bird moved that the rules be suspended and that said bill No. 190, (A.) be read the third time now;

Which was agreed to.

The said bill was then read third time, passed, and the title thereof agreed to.

The said bill No. 184, (A.) was

On motion of Mr. Roys,

Referred to the committee on compilation.

The question being on concurring in the amendment of the committee to No. 162, (A.)

Mr. Hazard moved that said bill and amendment be laid upon the table; which was agreed to.

Mr. Burns, from the committee on education and school lands, to whom had been referred

No. 101, (A.) A bill in relation to the school and university lands, the sale and superintendence thereof, and the powers and duties of the commissioners of said lands,

Reported the said bill back to the assembly, accompanied with the following report;

Which was accepted, to wit:

The committee on education and school lands, to whom was referred bill

No. 101, (A.) A bill in relation to the school and university lands, the sale and superintendence thereof, and the powers and duties of the commissioners of said lands,

Have considered and examined the same, and have instructed me to report the said bill to the assembly with the following amendments:

1st. Amend 2nd section, by striking out the word "before" and insert after the word "shall" 1st line 2nd section, the words "between the first day of January and."

2nd. Amend section 5, by striking out in the 5th line of the printed bill, the letter "a," and insert the word "each." Also strike out all after the word "held" in the 7th line of the printed bill, and add the following: "and the expenses of such publication shall be audited and paid by the commissioners, out of the school fund."

3rd. Amend section 10, by striking out in the fifth line of the printed bill, the word "twenty." Also strike out the word "fifty" in the second line, and insert the words "seventy-five."

4th. Amend section 11, by inserting in the third line of the printed bill the word "mineral" after the word "timber."

5th. Amend section 18, by inserting in the 2nd line of the printed bill, the words "or mineral" after the word "timber."

6th. Amend section 21, by inserting in the 2nd line of the printed bill, the word "mineral" before the word "wood."

7th. Amend section 24, by striking out in the 7th and 8th lines in the printed bill, "treasurer and attorney general or one of them," and insert the word "governor," in place thereof.

8th. Amend section 30, by striking out of the 2nd line of the printed bill, the words "made by any lessee or his assignee pursuant to any lease, or agreement authorized by law."

9th. Amend section 58, by inserting the word "clear" in the 1st line of the printed bill, before the word "proceeds."

TIMOTHY BURNS, *Ch'n.*

Also amend as in the succeeding sections, strike out sections 59, 60, 61 and 62, and insert

Section —— Of the amount of the said school or university fund, the principal shall be loaned out, and the annual interest be applied in payment of the current expenses of the university and common schools throughout the state.

Sec. —— The commissioners shall have power, and it is hereby made their duty, from time to time, to make loans of any and all the moneys authorized by the preceding sections, to citizens of Wisconsin on a pledge of real estate, to be secured by mortgage as hereinafter prescribed.

Sec. —— The commissioners shall duly inform themselves of the value of all real estate offered in pledge, as aforesaid, and shall be judges of the validity of the title thereof, and it is hereby made the duty of all persons applying for a loan, to produce to said commissioners for their inspection, the title papers, showing a clear and valid title in fee simple, without incumbrance for the property so offered in pledge, and not derived through any executor or administrator's sale, or sale on execution.

Sec. —— The commissioners shall have power, whenever they may deem it necessary to appoint commissioners in any county in this state, to value and appraise any lands which may be offered in mortgage.

Sec. —— Such commissioners being first duly sworn, faithfully to discharge their duty as herein required, shall on the application of the owner of any land, proposed to be mortgaged examine and appraise the same and give to the applicant a certificate signed by them, setting forth the value thereof in specie, at the common selling rate in their county at the time of such valuation.

Sec. —— In making such appraisement, perishable improvements shall not be taken into consideration.

Sec. —— Such certificate shall also show the quantity of land in acres; the quarter or half quarter section, the number of the section, township and range in which such land lies, or if said land consist of one or more town lots, the said commissioners shall otherwise specify and designate the land in the best manner possible.

Sec. —— The commissioners appraising any such land, or town lots, shall each be entitled to one dollar per day while so occupied, to be paid by the applicant.

Sec. —— No greater sum than one thousand dollars, nor less sum than three hundred dollars, shall be loanad to any one person out of said fund.

Sec. —— The rate of interest required shall be seven per cent, per annum, payable annually in advance.

Sec. —— No loan shall be made for a longer period than five years.

Sec. —— The sum loaned shall not exceed one-half of the appraised value of the premises to be mortgaged, clear of all perishable improvements; and the commissioners may reduce the amount to be loaned on any such valuation, when, for any cause, they may have good reason to believe that the same was not in proportion to the prices of similar property selling in this vicinity.

Sec. —— The mortgages taken for loans, as aforesaid, shall be considered as of record from the date thereof, and shall have priority of all mortgages or conveyances, not previously recorded, and of all liens not previously incurred in the county where the land lies.

Sec. —— It shall be the duty of the commissioners to have all such mortgages recorded with due diligence; the expense thereof shall be borne by the applicant for such loan, and may be retained out of the money borrowed.

Sec. —— The person applying for a loan shall produce and file with the commissioners a complete chain of title to the land offered to be mortgaged, and the certificate of the clerk of the circuit court, and register of deeds of the county in which the land lies, showing that there is no conveyance of, nor incumbrance on said land in either of their offices.

Sec. —— Such person shall also before he receives the money to be loaned, make oath to the truth of an abstract of the title to his said land, and that there is no incumbrance, or better claim in law or equity that he knows of or believes, upon, or to said land.

Sec. —— All loans refunded, and all interest shall be paid into the state treasury; and the treasurer's receipt shall be filed with the said commissioners, who shall give the payer a quietus for the amount thereof, and make the proper entries on their books.

Sec. —— Whenever the amount due on any mortgage shall be fully paid, and the treasurer's receipt filed therefor, the said commissioners shall endorse on the note and mortgage that the same have been fully satisfied, and surrender such note and mortgage to the person entitled thereto, and on the production of the same, with such endorsement thereon, the recorder of the proper county shall enter satisfaction upon the record thereof.

Sec. —— When the interest or principal of any loan shall become due and remain unpaid, the commissioners shall proceed to collect the same by suit on the note, or by sale of the mortgaged premises, or by both, as to them may seem advisable, they may also by action of ejectment obtain possession of the mortgaged premises.

Sec. —— In case of suit on such note and judgment thereon, no stay of execution shall be allowed.

Sec. —— Should any person in possession of any such mortgaged premises wilfully destroy or injure the same, whereby the security of the state shall be lessened, he shall be held guilty of a misdemeanor, and on conviction, be fined and imprisoned at the discretion of the jury trying the same.

Sec. —— On failure to pay any interest or principal when due on any such mortgage, the commissioners shall advertise mortgaged property for sale in one or more of the newspapers printed in the county where the land is situated, or in case no newspaper be printed in said county, in a newspaper printed at Madison, for sixty days, such sale to take place at such place, and be conducted in such manner as the commissioners may direct.

Sec. —— At the time appointed for such sale one or more of said commissioners shall attend, and they shall make sale of so much of the mortgaged premises to the highest bidder for cash, as will pay the amount due for principal, interest, damages and costs of advertising and selling the same.

Sec. —— In case no one will bid the full amount due as aforesaid, the commissioners present shall bid on the same on account of the proper fund; and as soon thereafter as may be shall sell the same to the highest bidder for cash or on a credit of five years, interest being payable annually in advance.

Sec. —— The sale authorized in the preceding section shall not be for a less amount than the sum chargeable on said land, and if for more, the overplus shall be paid to the mortgager, his heirs or assigns.

Sec. —— Such sales may be in parcels, so that the whole amount required may be realized thereby.

Sec. —— A statement of such sale shall be made out and signed by said commissioners, and shall be recorded in their office, and such record or a copy thereof authenticated by the certificate of the commissioners shall be received as evidence of the matters therein contained.

Sec. —— When any land is bid off by the state at such sale, no deed need be made therefor to the state; but the statement of such sale and the record thereof made, as in the preceding section required shall vest the title in the state for the use of the school fund.

Sec. —— In case of a sale of any of such lands to any person for cash, on production of the treasurer's receipt for the purchase money, the commissioners shall give to the purchaser a certificate, which shall entitle him to demand and receive a deed for said land to be executed by the governor of this state, and recorded in the office of the secretary of state.

Sec. —— In like manner when any tract of land bid off by the state is sold on a credit, on the execution and delivery of a note and mortgage for the proper amount, as in other cases required, the purchaser shall be entitled to a deed for the same to be made as prescribed in the preceding section; and the transaction shall be entered and appear upon said commissioners books as a payment of the sum bid, and a re-loan of the same to the purchaser, and the proper receipts and warrants shall pass therefor.

Sec. —— The said commissioners shall keep fair and regular entries of the sums received and paid out on account of said fund, and shall report the names of borrowers, the sums borrowed, and a description of the property mortgaged, with their annual report to the legislature.

Sec. —— In addition thereto the said commissioners shall keep fair and regular accounts with the borrowers of said fund, and shall include the same in their annual report.

Sec. —— Nothing in this chapter shall prevent the commissioners from loaning any money belonging to said fund to the several counties in this state, and the incorporated cities, towns and villages therein, on the faith and credit of the said county, city, town or village applying for said loan.

Sec. —— The mortgage to be taken may be in the following form in substance to wit: "I, A. B., of the county of in the state of Wisconsin, do assign over and transfer to the state of Wisconsin all (here describe the land,) which I declare to be mortgaged for the payment of dollars with interest, at the rate of seven per cent. per annum, payable in advance according to the conditions of the note hereunto annexed."

Sec. —— The note accompanying the same may be in substance as follows, to wit: "I, A. B., promise to pay to the state of Wisconsin on or before the , the sum of , with interest thereon at the rate of seven per cent. per annum in advance, commencing on the day of 18 , and do agree that in case of failure to pay any instalment of said interest, the said principal sum shall become due and collectable together with all arrears of interest;

and on any such failure to pay principal or interest when due five per cent. damages on the whole sum due shall be collected with costs, and the premises mortgaged may be forthwith sold by the board of commissioners for the sale of the school and university lands, for the payment of such principal sum, interest, damages and costs.

Mr. Hastings, from the select committee to whom the same had been referred, reported back to the assembly

No. 187, (A.) A bill relating to the admission of attorneys at law;

With an amendment.

Which report was accepted.

On motion of Mr. Barber,

No. 53, (A.) A bill to incorporate the Milwaukee and Fond du Lac plank road company,

Was taken from the table.

Mr. Barber moved that said bill be referred to the committee on compilation, with instructions to report a general law on the subject, if the committee deemed it practicable, if not, to report the said bill back to the assembly for their further action;

Which was agreed to.

Mr. Wells, from the committee on claims, to whom the same had been referred the following resolution, to wit:

Resolved, by the senate and assembly, That the secretary of state be authorized and directed to credit to Sheboygan county the sum of one hundred and eighty-eight 44-100 dollars, that being the amount of error in footing up the assessment roll by the clerk of said county, as appears by the corrected return from said clerk,

Reported the same back to the assembly recommending the passage thereof.

The report was adopted.

Mr. White by leave, presented

The petition of John C. Gridley and 230 others, praying for the passage of an act making the office of police justice in the city of Milwaukee elective by the people;

Which was referred to the committee of the whole.

On motion of Mr. White,

No. 139, (A.) A bill to amend an act entitled an act to incorporate the city of Milwaukee, Was taken from the table and returned to the general file.

Mr. Bird by leave, presented

The account of Thomas McHuuh against the state;

Which was referred to the committee on claims.

Mr. Roys, from the committee on town and county organization, reported

No. 194, (A.) A bill to organize the town of Grand Chute in Brown county;

Which was read the first and second times. And

On motion of Mr. Roys,

Laid upon the table.

Mr. Roys moved that the rules be suspended, and that

No. 191, (A.) A bill in relation to medical societies, and for the promotion of medical science,

Be read the third time now;

Which was agreed to.

The said bill was then read the third time, passed, and the title thereof agreed to.

On motion of Mr. White,

The assembly resolved itself into committee of the whole for the consideration of the general file of bills,

Mr. Bird in the chair.

And after some time spent therein the committee rose and by their chairman reported back to the assembly

No. 192, (A.) A bill to vacate part of the plat of the city of Superior;

With an amendment.

No. 181, (A.) A bill to provide for tribunals of conciliation in and for the several counties in this state and the regulation thereof;

No. 180, (A.) A bill to provide for tribunals of conciliation in and for the several towns in this state and the regulation thereof;

No. 137, (A.) A bill to vacate a certain road therein named; and

No. 115, (S.) A bill to change the name of the town of Juneau, in the county of Dodge;

Without amendments.

The said bill No. 115, (S.) was ordered to be read the third time.

The question being on ordering said bill No. 137, (A.) to be engrossed and read the third time,

Mr. Kerr moved that said bill be laid upon the table;

Which was agreed to.

The said bills Nos. 180 and 181 (A.) were

On motion of Mr. Reymert,

Referred to the committee on the compilation of the laws.

The amendment of the committee of the whole to said bill No. 192, (A.) was concurred in.

And the said bill ordered to be engrossed and read the third time.

Mr. Strong, from the committee on the compilation of the laws, reported

No. 195, (A.) A bill to organize county courts;

Which was read the first and second times.

On motion of Mr. Hobart,

The assembly resolved itself into committee of the whole for the further consideration of said bill No. 195, (A.)

Mr. Roys in the chair.

And after some time spent therein the committee rose and by their chairman reported the said bill back to the assembly, without amendments.

Mr. Hobart moved that the rules be suspended, and that the said bill be read the third time and passed now;

Which was agreed to.

The said bill was read the third time.

And the question, "shall the bill pass ?"

Having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Barber, Bird, Bowron, Chase, Colwell, Colley, Crandall, Crawford, Cross, Flynn, Gillilan, Hastings, Juneau, Keuhn, Kimball, King, Leland, Lown, Martin, Noble, Nute, Page, Parkinson, Phelps, Pike, Pratt, Reymert, Rickerson, Roys, Strong, Toland, Townsend, Warren, Wells, Willard, Young, and Hobart, (speaker)—37.

Those who voted in the negative, were

Messrs. Clark, Fagan, Hazard, Hill, Solon Johnson, Kerr, Pierce, Pope, Rockwell, Sugden, Thorp, Turck, and Wasson, —14.

Mr. Strong moved that bill

No. 147, (A.) A bill providing for the sale of the school section in the city of Racine,

Be taken from the table;

Which was agreed to.

On motion of Mr. Strong,

The assembly resolved itself into committee of the whole for the consideration of said bill.

Mr. Noble in the chair.

And after some time spent therein the committee rose and by their chairman reported said bill back to the assembly

Without amendment.

The question being on ordering said bill to be engrossed and read the third time,

Mr. Strong moved that said bill be referred to the committee on education and school lands;

Which was agreed to.

Mr. Kerr, from the committee on enrolled bills, submitted the following report:

The committee on enrolled bills report that they did on Satterday last, present to his excellency, the governor, for his approval

An act to amend an act to provide for levying and collecting state revenue;

An act to legalize the proceedings of a school meeting held in district No. 1, in the town of Waterloo, Jefferson county;

An act to change the name of the village of Harazthy in Sauk county to Westfield;

An act to divide the town of Cottage Grove, in Dane county, into two separate towns;

An act to establish a state road through a part of Iowa, Richland and Sauk counties;

An act to appropriate to Daniel Noble Johnson the sum therein named;

An act to incorporate the village of Watertown.

Mr. Kerr, from the same committee submitted the following report, viz:

The committee on enrolled bills report that they have examined

No. 7, (A.) A memorial to the president of the United States asking that measures may be taken to prevent depredations by Indians;

No. 123, (S.) A bill to provide for the publication of certain laws;

And find them correctly enrolled.

The said bills were thereupon signed by the speaker and transmitted to the senate.

Mr. Hastings, from the committee on engrossed bills reported as correctly engrossed,

No. 73, (A.) A bill to provide for the location of a states' prison; and

No. 131, (A.) A bill to organize the town of La Prairie in the county of Rock,

On motion of Mr. Hastings,

The assembly resolved itself into committee of the whole for the consideration of

No. 139, (A.) A bill to amend an act entitled an act to incorporate the city of Milwaukee.

Mr. Pratt in the chair.

And after some time spent therein the committee rose and by their chairman reported said bill back to the assembly

Without amendment.

And the question being on ordering said bill to be engrossed and read the third time,

Mr. Chase moved that said bill be referred to a committee consisting of the delegation from Milwaukee county;

Which was agreed to.

Mr. Noble introduced the following resolution, which was adopted, to wit:

Resolved, That the state printer be, and is hereby requested to report forthwith to this house the reasons for the delay in sending up the daily slips, and further that he be instructed to cause them to be hereafter sent up the morning of the next day.

On motion of Mr. Hill,

The assembly adjourned until half past two, P. M.

HALF PAST TWO O'CLOCK, P. M.

The speaker appointed Mr. Burns as a member of the committee on legislative expenditures in place of Mr. Kelsey.

The speaker laid before the assembly two communications from the sheriff's of the respective counties of La Fayette and Dodge, in relation to state prisoners; which

On motion of Mr. Barber,

Were severally referred to the committee on states prison.

Mr. Hastings, from the committee on engrossed bills, reported the following bills as correctly engrossed

No. 166. (A.) A bill to authorize the issuing patents for canal lands sold and not patented, and to provide for payment and discharge of mortgages thereon; and

No. 192, (A.) A bill to vacate part of the plat of the city of Superior, in Dane county.

Mr. Noble introduced the following resolution, which was adopted, to wit.

Resolved, the senate concurring, That the joint committee on legislative expenditures be instructed to report an appropriation bill for the current expenses of the present legislature.

Mr. Pope, by leave, introduced

No. 196, (A.) A bill to enable the town of Janesville, in the county of Rock, to apply the moneys raised for licenses granted for the sale of ardent spirits in said town for the support of the poor;

Which was read the first and second times

Mr. Leland moved that bill No. 162, (A.) A bill on mechanic's lien, be taken up;

Which was agreed to.

The amendments of the committee to said bill,

Were concurred in.

The said bill was ordered to be engrossed and read the third time.

The speaker laid before the assembly the following communication from the state printer, which was read as follows, to wit:

ARGUS OFFICE,
Madison, March 19, 1849.

To the Honorable Assembly:

In reply to the resolution this day received, asking me to re port "forthwith to this house the reasons for delay in sending up the daily slips," I would respectfully state, that the slips of Friday last was duly put in type as soon as possible after the reception of the copy, but owing to the express order to hurry along the "Justice act," to the exclusion of all other work, I have not been able to get it to press as yet, but shall do so in about one hour. The slip of Saturday was accidently put to press first. In the earnest desire to expedite the public printing, my whole corps of workmen were kept at work on Sabbath last, and also late at night, but all of it could not even then be duly completed as desired. If it is the desire of the assembly to postpone the bills for the daily slips, they will be issued first in all cases hereafter; although contrary instructions have been given me by the committee on compilation.

With sentiments of respect,

D. T. DICKSON.

Messages from the senate were taken up.

No. 108, (S.) A bill to incorporate the Walworth county academy;

No. 112. (S.) A bill relating to pleadings in certain cases; and

No. 121, (S.) A bill to declare certain roads in Rock county lawful highways;

Were severally read the first and second times.

The amendments of the senate to

No. 65, (A.) A bill to legalize the acts of the collector of the town of Addison in Washington county,

Was concurred in.

No. 115, (S.) A bill to change the name of the town of Juneau, in the county of Dodge,

Was read the third time, passed, and the title thereof agreed to.

No. 131, (A.) A bill to organize the town of La Prairie in the county of Rock;

Was read the third time.

And the question being on the passage of said bill,

Mr. Colley moved that said bill be laid upon the table;

Which was disagreed to.

The said bill was then passed and the title thereof agreed to.

No. 73, (A.) A bill to provide for the location of a state's prison,

Was read the third time.

Mr. Fagan moved that the blank in said bill be filled with the words "two dollars and fifty cents;"

Which was disagreed to.

The question being on the passage of said bill,

Mr. Leland moved that said bill be referred to a select committee of three;

Which was disagreed to.

And the question on the passage of said bill,

Having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Barber, Chase, Colwell, Colley, Clark, Crandall, Cross, Flynn, Hastings, W. H. Johnson, Solon Johnson, Juneau, Keuhn, Kimball, King, Lown, Martin, Meade, Nute, Phelps, Pope, Sugden, Townsend, Warren, Wells, and White, —26.

Those who voted in the negative were

Messrs. Bird, Bowron, Burns, Crawford, Fagan, Gillilan, Hazard, Hill, Kerr, Leland, Noble, Page, Parkinson, Pierce, Pike, Pratt, Reymert, Rickerson, Rockwell, Roys, Thorp, Toland, Turck, Wasson, Willard, Young and Hobart, (speaker,)—27.

Mr. Toland moved that the vote just taken be re-considered;

Which was agreed to.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Barber, Chase, Colwell, Colley, Clark, Crandall, Cross, Fagan, Hastings, W. H. Johnson, Solon Johnson, Juneau, Kimball, King, Lown, Martin, Meade, Noble, Nute, Parkinson, Phelps, Pope, Reymert, Sugden, Toland, Townsend, Turck, Wasson, Wells, White, Willard, and Hobart, (speaker)—33.

Those who voted in the negative, were

Messrs. Bird, Bowron, Burns, Crawford, Flynn, Gillilan, Hazard, Hill, Kerr, Keuhn, Leland, Page, Pierce, Pike, Pratt, Rickerson, Rockwell, Thorp, Warren, and Young—20.

The question then recurring on the passage of the bill,

Mr. White moved that it be referred to a select committee of five:

Which was agreed to.

The speaker appointed Messrs. White, Barber, Toland, Sugden and Noble, as said committee.

A message from the senate by their chief clerk:

MR. SPEAKER:

I am directed to inform you that the senate has negatived

No. 153, (A.) A bill supplementary to an act to authorize Thomas P. Williams and others to build a bridge;

By strking out the enacting clause.

And has concurred in the amendment of assembly to

No. 3, (S.) Joint resolution relating to public lands;

And has passed

No. 132, (S.) General provisions concerning courts and the powers and duties of certain judicial officers.

In which the concurrence of the assembly is requested.

And that the senate has concurred in the passage of

No. 108, (A.) A bill to divide the town of Brighton in the county of Winnebago;

No. 161, (A.) A bill for the relief of persons confined in jail on civil process;

No. 164, (A.) A bill relative to seals;

No. 170, (A.) A bill to alter a road in Winnebago county;

No. 173, (A.) A bill to alter the boundaries of certain towns in the county of Marquette

No. 179, (A.) A bill to organize the town of Clayton;

No. 190, (A.) A bill in relation to probate courts:

No. 8, (A.) Joint resolution relative to a proposed amendment of the constitution of the United States concerning post masters;

Without amendments.

Messages from the senate were taken up.

No. 132, (S.) General provisions concerning courts and the powers and duties of certain judicial officers,

Was read the first and second times.

On motion of Mr. Wells,

The assembly resolved itself into committee of the whole for the consideration of said bill, No. 132, (S.)

Mr. Wells in the chair.

After some time spent therein the committee rose, and by their chairman, reported said bill back to the assembly,

Without amendment.

The question being on ordering said bill to be read the third time,

Mr. Noble moved the said bill be referred to a select committee of five;

Which was agreed to

The speaker appointed Messrs. Noble, Clark, Meade. Rockwell and Bird, as said committee.

On motion of Mr. Hill,

The assembly resolved itself into committee of the whole for the consideration of the general file of bills.

Mr. Hill in the chair.

And after some time spent therein the committee rose and by their chairman reported back to the assembly

No. 187, (A.) A bill relating to the admission of attorneys at law;

With an amendment; and

No. 196, (A.) A bill to enable the town of Janesville, in the county of Rock, to apply the moneys raised for licenses granted for the sale of ardent spirits in said town for the support of the poor;

Without amendment.

The amendment of the committee to said bill No. 187, (A.)

Was concurred in.

The said bills No. 187, and 196, (A.) were severally ordered to be engrossed and read the third time.

Mr. Kerr, from the committee on enrolled bills, submitted the following report, to wit;

The committee on enrolled bills, report that they have on this day presented to his excellency the governor for his approval,

An act to divide the town of Dane, in the county of Dane into two separate towns;

An act to organize the town of Buena Vista in the county of Richland;

An act to authorize the recording of the town plat of the town of Belmont, in Lafayette county;

An act to legalize a certain road therein named;

An act to repeal an act entitled an act to amend an act to organize school district No. 1, in Fond du Lac for special purposes, approved February 10, 1847, and all other acts relating to the same subject;

An act to declare part of a state road to be a lawful highway;

An act in relation to certain school districts in Fond du Lac county;

An act to organize a school district in the town of Sun Prairie, in Dane county;

An act to amend an act entitled "an act to incorporate the Lawrence Institute of Wisconsin;"

An act to amend an act, approved August 19th, 1848, entitled an act to organize the several towns therein named;

Memorial to the president of the United States asking that measures may be taken to prevent depredations by Indians;

An act to provide for the publication of certain laws;

An act to amend an act entitled an act to incorporate the village of Madison;

An act to incorporate the first Christian society in the town of Monroe, in Green county;

An act to amend an act entitled an act to provide for the improvement of the Fox and Wisconsin rivers, and connecting the same by a canal, approved August 8th, 1848.

The speaker appointed Mr. Clark as a member of the committee on printing in lieu of Mr. Delaney.

No. 166, (A.) A bill to authorize the old abolition party of the town of Lisbon to hold caucuses and adopt their old constitution with all its rights and privileges,

Was read the third time and passed.

And the question being on agreeing to the title of said bill,

Mr. Wells moved to amend said title by striking out all after the word "bill" and insert, "to authorize the issuing of patents for canal lands sold and not patented, and to provide for the payment and discharge of the mortgages thereon;"

Which was agreed to.

The title as amended was then agreed to.

No. 192, (A.) A bill to vacate part of the plat of the city of Superior, in Dane county,

Was read the third time.

And the question being on its passage,

Mr. Bird moved that said bill be laid upon the table;

Which was agreed to.

The speaker laid before the assembly the following communications from the revisers:

MADISON, March 19, 1849.

Hon. H. C. Hobart, Speaker of the Assembly:

SIR:—We have the honor herewith to submit through you to the assembly, a report with an accompanying bill, on the subject of punishing seduction as a crime; which report is made in compliance with a resolution of the assembly referring said subject to the revisers.

We have the honor to be,
Yours very respectfully,
C. M. BAKER,
M. FRANK.

MADISON, March 19, 1849.

Hon. H. C. Hobart, Speaker of the Assembly:

SIR.—We have the honor to submit herewith, additional chapters of our report as commissioners to revise the laws.

You will please lay the same before the legislature.

Very respectfully, yours, &c.,
C. M. BAKER,
M. FRANK.

The chapters referred to in the above communication, to wit:

No. 197, (A.) A bill concerning the crime of seduction;

No. 198, (A.) A bill concerning divorces;

No. 199, (A.) A bill concerning marriages;

Were severally read the first and second times.

Mr. Hastings moved that said bills be referred to a select committee of five;

Which was agreed to.

The speaker appointed Messrs. Hastings, Wasson, Pike, Roys and Parkinson, as said committee.

A message from the senate by their chief clerk:

MR. SPEAKER:

I am directed to inform you that the senate has concurred in the passage of

No. 195, (A.) A bill to organize county courts;

Without amendments.

Mr. Wasson moved that

No. 27, (A.) A bill to provide for the enrollment of the militia,

Be taken from the table;

Which was agreed to.

The said bill was then ordered to be engrossed and read the third time.

Mr. Thorp, by leave, introduced

No. 200, (A.) A bill to authorize the construction of a bridge across Nepasink lake;

Which was read the first and second times.

No. 108, (S.) A bill to incorporate the Walworth county academy, was

On motion of Mr. Hastings,

Referred to the committee on education and school lands.

On motion of Mr. Clark,

The assembly resolved itself into committee of the whole for the consideration of the general file.

Mr. Parkinson in the chair.

And after some time spent therein the committee rose and by their chairman reported back to the assembly

No. 112. (S.) A bill relating to pleadings in certain cases; and

No. 121, (S.) A bill to declare certain roads in Rock county lawful highways;

Without amendments.

The said bill No. 121, (S.) was ordered to be read the third time.

Mr. Burns moved that said bill No. 112, (S.) be referred to a select committee of three;

Which was agreed to.

The speaker appointed Messrs. Burns, Strong and Clark, as said committee.

On motion of Mr. Rickerson,

The assembly adjourned.

TUESDAY, March 20th, 1849.

Prayer by the Rev. Mr. Lord.

Mr. Wells introduced the following resolution:

Resolved, by the senate and assembly, That the decision of the presiding officers of the joint convention for the election of a member of the board of public works, to fill the vacancy occasioned by the resignation of Curtis Reed, Esq., by which certain members were permitted to change their votes, thereby changing the result, was wrong in principle, and as it gave to two men the power to control the decision of the convention was unjust in its operation.

Resolved, That on Saturday last no legal election to fill such vacancy was had by the convention, and that the two houses will meet in joint convention in the assembly chamber for the purpose of electing a suitable person to fill such vacancy on Thursday the 22d inst., at 3 o'clock, P. M.

Mr. Burns moved that said bill be referred to the committee on the judiciary;

Which was agreed to.

Mr. Bowron moved that bill

No. 176, (A.) A bill relating to the several counties of the state;

Be taken from the table;

Which was agreed to.

Mr. Clark moved that the rules be suspended, and that said bill be read the third time and passed now;

Which was agreed to.

The said bill No. 176, (A.) was read the third time, passed, and the title thereof agreed to.

No. 121, (S.) A bill to declare certain roads in Rock county lawful highways;

Was read the third time, passed, and the title thereof agreed to.

The assembly resolved itself into committee of the whole for the consideration of the general file of bills,

Mr. W. H. Johnson in the chair.

And after some time spent therein the committee rose and by their chairman reported back to the assembly

No. 200, (A.) A bill to authorize the construction of a bridge across Nepasink lake,

Without amendment.

Mr. Bowron moved that the rules be suspended and that said bill be read the third time and passed now;

Which was agreed to.

The said bill No. 200, (A.) was read the third time, passed, and the title thereof agreed to.

Mr. Cross moved that bill

No. 156, (A.) A bill to authorize the aldermen of the first ward of the city of Milwaukee to levy a special tax to raise money for the purpose of erecting a market house in said ward,

Be taken from the table;

Which was agreed to.

On motion of Mr. Cross,

The assembly resolved itself into committee of the whole for the further consideration of said bill.

Mr. Leland in the chair.

And after some time spent therein the committee rose and by their chairman reported the said bill No. 156, (A.) back to the assembly,

With an amendment.

The amendment of the committee of the whole to said bill was concurred in.

Mr. Cross moved that the rules be suspended and that said bill be read the third time and passed now;

Which was agreed to.

The said bill was then read the third time, passed, and the title thereof agreed to.

Mr. Bowron moved that bill

No. 101, (A.) A bill in relation to the school and university lands, the sale and superintendence thereof, and the powers and duties of the commissioners of said lands,

Be taken from the table;

Which was agreed to.

On motion of Mr. Bowron,

The assembly resolved itself into committee of the whole for the consideration of said bill.

Mr. Meade in the chair.

And after some time spent therein the committee rose and by their chairman reported progress, and asked leave to sit again.

Leave was granted.

Mr. Barber introduced the following resolution, which was adopted, to wit:

Resolved, (the senate concurring,) That the printing of the daily slips be dispensed with for the remainder of the session.

Mr. Roys by leave, introduced

No. 201, (A.) A bill to authorize the laying out of a certain road in the town of Madison;

Which was read the first and second times.

Mr. Roys moved that the rules be suspended, and that said bill be read the third time and passed now;

Which was agreed to.

The said bill No. 201, (A.) was read the third time, passed, and the title agreed to.

Mr. Thorp, from the committee on conference on the disagreeing vote of the senate and assembly, on bill No. 99, (S.) submitted the following report, which was adopted:

The committee of conference on the disagreeing vote of the senate and assembly to bill No. 99, (S.) respectfully

REPORT:

That they have had the same under consideration, and recommend that the senate recede from its non-concurring vote to the 13th and 14th amendments of the assembly to said bill, and that the senate concur in the said amendments.

All of which is respectfully submitted.

L. GOODELL,
J. FISHER,
Com. of Senate.
J. M. WELLS,
H. S. THORP,
Com. of Assembly.

Mr. Meade moved that bill

No. 194, (A.) A bill to organize the town of Grand Chute in Brown county,

Be taken from the table;

Which was agreed to.

Mr. Meade moved that the rules be suspended, and that said bill be read the read time and passed now;

Which was agreed to.

The said bill was then read the third time, passed, and the title thereof agreed to.

Mr. Kuehn by leave, introduced

No. 202, (A.) A bill to provide for laying out a state road;

Which was read the first and second times, and

On motion of Mr. Kuehn,

Referred to the committee on roads, bridges and ferries. Also

No. 203, (A.) A bill to amend an act to organize the county of Manitowoc for judicial purposes;

Which was read the first and second times.

On motion of Mr. Wells,

The committee on claims were excused from further attendance on the assembly until to-morrow.

Mr. Noble moved that the vacancies on the committee on the judiciary occasioned by the absence of Messrs. Brown, Delaney and Kelsey be supplied;

Which was agreed to.

The speaker appointed Messrs. Clark, Noble and Leland to fill said vacancies.

Mr. Clark, from the committee on roads, bridges, and ferries, reported

No. 202, (A.) A bill to provide for laying out a state road,

Without amendment, recommending its passage.

Mr. Kuehn moved that the rules be suspended, and that said bill be read the third now;

Which was agreed to.

The said bill was then read the third time, passed, and the title thereof agreed to.

Mr. Hastings, from the select committee to whom had been referred, reported back to the assembly

No. 199, (A.) A bill concerning marriages,

With amendments; and

No. 197, (A.) A bill concerning the crime of seduction,

Without amendment.

And recommending the passage of said bills.

Mr. Kerr, from the committee on enrolled bills report, that the said committee have examined

No. 66, (A.) A bill to legalize the proceedings of the collector of the town of Addison Washington county;

No. 8, (A.) Joint resolutions relative to a proposed amendment to the constitution of the United States, concerning post masters,

No. 179, (A.) A bill to organize the town of Clayton in Winnebago county;

No. 170, (A.) A bill to alter a road in Winnebago county;

No. 85, (A.) A bill to organize the town of Primrose and Perry in Dane county into separate towns;

No. 125, (S.) A bill to change the name of the First Presbyterian Society of Whitewater and vicinity, and to confer certain powers on said society;

No. 3, (S.) Joint resolution relating to public lands;

And find them correctly enrolled.

The said bills were thereupon signed by the speaker and transmitted to the senate.

On motion of Mr. Phelps,

The assembly adjourned until half past two, P. M.

HALF PAST TWO O'CLOCK, P. M.

Mr. Cross, from the committee on the judiciary submitted the following report, which was accepted, to wit:

The judiciary committee to whom was referred

No. 7, (A.) Joint resolutions relative to seals;

Have instructed me to report the same back without amendment and recommending its passage.

The same committee to whom was referred

No. 106, (A.) A bill in relation to Ware-housemen, Storage, Forwarding and Commission Merchants and Millers; also

No. 18, (A.) A bill concerning the acknowledgements of conveyances of real estate made out of this state,

Report the same back and recommending their indefinite postponement, as the subjects therein embraced respectively, have been incorporated in bills reported by the committee on compilation, and which have been acted upon by the assembly.

J. B. CROSS.

Mr. Bowron, from the committee on school and university lands to whom the same had been referred, reported back to the assembly,

No. 147, (A.) A bill providing for the sale of the school section in the city of Racine,

With amendments.

The amendments were concurred.

Mr. Kerr moved that the rules be suspended, and that said bill be passed now;

Which was agreed to.

The said bill was read the third time, passed, and the title thereof agreed to.

Mr. Cross, from the committee on compilation submitted the following report, which was accepted:

The committee on the compilation of the laws to which was referred No. 180 and 181, (A.) bills to provide for tribunals of conciliation, &c., would state that for the want of sufficient time to give the subject that consideration to which it is entitled, they respectfully beg leave to report said bills back to the house, and suggest the propriety of delaying all action on the subject until another session of the legislature.

J. B. CROSS, *Ch'n.*

The same committee to which was referred No. 53, (A.) A bill to incorporate the Milwaukee and Fond du Lac plank road company, with instructions to report a general law on the subject, or if they deem the same impracticable to report the bill back to the assembly for its further action; would beg leave respectively to state that at this late date of the session, the committee are unable to give sufficient time and attention to a subject of as much importance as the one contemplated in the instructions, without neglecting the business legitimately belonging, and already assigned to us for the purpose of compilation and revision, and upon which the committee are now engaged.

For this reason we deem it impracticable for the committee to undertake the task of drafting a general law upon that subject at this time, and therefore report the bill back to the assembly according to instructions.

J. B. CROSS, *Ch'n.*

Mr. Bowron, from the committee on school and university lands to whom had been referred, No. 108, (S.) A bill to incorporate the Walworth county academy,

Reported said bill back to the assembly without amendment, recommending its passage.

Mr. White, from the select committee to whom was referred bill No. 73, (A.) submitted the following report, which was adopted to wit:

The committee to whom was referred bill

No. 73, (A.) A bill to provide for the location of a state's prison,

Respectfully report said bill back to the assembly with the following amendments, and unanimously recommend its passage.

Strike out sections 11, 12 and 19.

Strike out of the 10th line of section 10 the words, "the state prison fund," and insert the words, "any money in the state treasury not otherwise appropriated."

Strike out of the 6th line of section 16 the words, "out of the same fund and."

JULIUS WHITE, *Ch'n.*

The question being on the passage of said bill,

Mr. Bowron moved that said bill be re-committed to the committee of the whole.

And the question having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Barber, Bowron, Chase, Colley, Clark, Crandall, Crawford, Fagan, Flynn, Gillilan, Hazard, W. H. Johnson, Solon Johnson, Kerr, Kuehn, Kimball, King, Leland, Page, Parkinson, Pierce, Pike, Pratt, Sugden, Toland, Turck, Warren, Wasson, White, Young and Hobart, (speaker.)—31.

Those who voted in the negative, were

Messrs. Colwell, Cross, Lown, Martin, Nute, Phelps, Reymert, and Rickerson,—8.

The assembly resolved itself into committee of the whole for the consideration of said bill.

Mr. Reymert in the chair.

And after some time spent therein the committee rose, and by their chairman reported said bill back to the assembly

With sundry amendments.

The amendments of the committee of the whole were concurred in.

The question being on the passage of said bill,

Mr. Bowron moved to amend said bill, by striking out section ten.

And the question having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Bowron, Chase, Colwell, Colley, Crandall, Crawford, Fagan, Flynn, Gillilan, Hastings, Hazard, Kerr, Keuhn, Leland, Page, Parkinson, Pierce, Pratt, Rickerson, Roys, Townsend, Turck, Wasson, and Willard,—24.

Those who voted in the negative, were

Messrs. Barber, Clark, W. H. Johnson, Solon Johnson, Kimball, King, Lown, Martin, Meade, Phelps, Pike, Reymert, Sugden, Toland, Warren, White, Young and Hobart, (speaker,)—18.

Mr. Crawford moved to amend section 2, line 9, strike out "decide upon," and insert, "receive," and strike out all after "commissioners," in the 10th line and insert, "and report the same to the legislature;"

Which was disagreed to.

Mr. Leland moved to amend section 10, by adding:

"The commissioner shall receive ten cents per mile, for every mile necessarily travelled in the performance of their duty;"

Which was agreed to.

Mr. Wasson moved to amend said bill, "by striking out the enacting clause.

And the question

Having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Gillilan, Thorp, and White—3.

Those who voted in the negative were

Messrs. Barber, Bowron, Chase, Colwell, Clark, Crandall, Crawford, Fagan, Flynn, Hastings, Hazard, W. H. Johnson, Solon Johnson, Kerr, Kuehn, Kimball, King, Leland, Lown, Martin, Meade, Page, Parkinson, Phelps, Pierce, Pike, Pratt, Reymert, Rickerson, Roys, Sugden, Toland, Townsend, Turck, Warren, Wasson, Willard, Young and Hobart, (speaker.)—39.

Mr. Roys moved to amend section 16, by striking out the word "to" in the 3rd line, and insert after the word "office" the following: "the number of days so spent to be certified by them under oath which sum shall;"

Which was agreed to.

The said bill was then ordered to be engrossed and read the third time.

Mr. Hastings, from the select committee, to whom had been referred

No. 198, (A.) A bill concerning divorces;

Reported the same back to the assembly, without amendment, recommending its passage.

Mr. Solon Johnson, by leave, introduced

No. 204, (A.) A bill to vacate a part of Johnson street, in the village of Port Washington;

Which was read the first and second times.

Mr. Johnson moved that the rules be suspended and that said bill be read the third time and passed now;

Which was agreed to.

The said bill was then read the third time, passed, and the title thereof agreed to.

No. 27, (A.) A bill to provide for the enrolling of the militia,

Was read the third time.

Mr. Wasson moved to fill the blank in the last section of said bill with the word "fifty;"

Which was agreed to.

The question being, "shall the bill pass?"

Having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Barber, Bowron, Colwell, Clark, Crawford, Fagan, Gillilan, W. H. Johnson, Solon Johnson, King, Leland, Meade, Noble, Nute, Parkinson, Phelps, Pierce, Reymert, Roys, Toland, Townsend, Turck, Wasson, Young, and Hobart, (speaker)—26.

Those who voted in the negative, were

Messrs. Chase, Colley, Crandall, Hastings, Hazard, Kerr, Lown, Martin, Page, Pike, Pratt, Warren, and Willard,—13.

The title of said bill was then agreed to.

No. 162, (A.) A bill on mechanic's lien,

Was read the third time and passed.

And the question being on the title thereof,

Mr. Bowron moved to amend the title of said bill, by inserting after the word "mechanic's" the words "and laborer's;"

Which was agreed to.

The title as amended was then agreed to.

No. 183, (A.) A bill to provide for recording contracts relating to lands;

No. 187, (A.) A bill relating to the admission of attorneys at law; and

No. 196, (A.) A bill to enable the town of Janesville, in the county of Rock, to apply the moneys raised from licenses granted for the sale of spirituous liquors in said town, to the support of the poor,

Were severally read the third time, passed, and the titles thereof agreed to.

Mr. Noble, from the majority of the committee on the judiciary, submitted the following report, which was accepted, to wit:

The majority of the committee on the judiciary, to whom was referred a resolution relative to the illegality of the election, by the two houses, of a commissioner of the board of public works to fill the vacancy occasioned by the resignation of Curtis Reed, beg leave to submit the following

REPORT:

That although the decision of the presiding officer on the occasion referred to in the resolution, was not in their opinion, strictly parliamentary, still any one feeling himself aggrieved thereby ought to have appealed from that decision, and submitted the question to the convention for their decision; but having failed to do so, your committee know of no rule or law by which said election would become invalidated or illegal. They therefore, report adverse to the adoption of the said resolution.

All of which is respectfully submitted,

J. B. CROSS,
M. L. NOBLE,
CYRUS LELAND.

Mr. Kerr, from the committee on enrolled bills, submitted the following report:

The committee on enrolled bills report that they have this day presented to his excellency, the governor, for his approval

An act to alter a certain road in Winnebago county;

An act to legalize the acts of the collector of the town of Addison in Washington county;

An act to organize the towns of Primrose and Perry in Dane county;

An act to organize the town of Clayton in Winnebago county;

Joint resolutions relative to a proposed amendment to the constitution of the United States concerning postmasters;

An act to change the name of the First Presbyterian Society of Whitewater and vicinity, and to confer certain powers on said society; and

Joint resolutions relating to the public lands.

A message from the senate, by their chief clerk:

MR. SPEAKER:

I am directed to inform you that the senate has passed

No. 109, (S.) A bill to pay to Daniel Noble Johnson the sum therein named;

No. 126, (S.) A bill relating to proceedings against debtors by attachment;

No. 136, (S.) Of the incorporation of cemetery associations.

In which the concurrence of the assembly is requested.

And has concurred in the passage of

No. 194, (A.) A bill to organize the town of Grand Chute in Brown county;

No. 150, (A.) An act to authorize the trustees of school district No. five, in the town of Turtle, Rock county, to levy a tax to build a school house; and

No. 201, (A.) A bill to authorize the laying out of a certain road in the town of Madison; and

The resolution relative to crediting Sheboygan county a certain sum therein named,

Without amendment.

And has concurred in the amendment of assembly to

No 84. (S.) A bill to appropriate to John T. Wilson, Seymour & Varney, Dean & Co., Timothy Robertson, James Halpin, H. A. Tenney, Henry C. Parker, and Thomas Dunn the several sums therein mentioned.

And has adopted the report and recommendation of the committee of conference on the disagreeing vote of the two houses on bill

No. 99, (S.) A bill in relation to highways and bridges.

And has concurred in the passage of

The resolution instructing the committee on legislative expenditures to report an appropriation bill,

With an amendment.

In which the concurrence of the assembly is requested.

And has passed the following resolution:

Resolved, by the senate and assembly, That the daily slips be dispensed with hereafter, and that there be no more slips printed during this session.

In which the concurrence of the assembly requested.

Messages from the senate were taken up,

The said bills No. 109, 126, and 136, (S.)

Were severally read the first and second times.

The amendment of the senate to the resolution instructing the committee on legislative expenditures to report an appropriation bill,

Was concurred in.

The resolution of the senate in relation to printing the daily slips,

Was concurred in.

On motion of Mr. Clark,

The assembly adjourned.

WEDNESDAY, March 21st, 1849.

Prayer by the Rev. Mr. Penman.

Mr. Cross, from the committee on the compilation of the laws, to whom the same had been referred, reported back to the assembly,

No. 186, (A.) A bill to prevent the sale of intoxicating liquors to Indians;

With an amendment.

The amendment of the committee to said bill was concurred in.

And the said bill ordered to be engrossed and read the third time.

Mr. Cross, from the same committee, reported

No. 205, (A.) A bill authorizing the maintenance of actions by persons holding claims on United States lands;

No. 206, (A.) A bill concerning Electric Telegraph lines;

No. 207, (A.) A bill concerning religious societies; and

No. 208, (A.) A bill to restrain unauthorized banking;

Which were severally read the first and second times.

On motion of Mr. Bowron,

The assembly resolved itself into committee of the whole for the consideration of

No. 101, (A.) A bill in relation to the school and university lands, the sale and superintendence thereof, and the powers and duties of the commissioners of said lands;

Mr. Meade in the chair.

And after some time spent therein the committee rose and by their chairman reported progress, and asked leave to sit again.

Leave was granted.

On motion of Mr. Wells,

The assembly adjourned until half past two, P. M.

HALF PAST TWO O'CLOCK, P. M.

Mr. Lown presented

The petition of P. W. Lake and other citizens of the county of Walworth, in relation to the jurisdiction of justices of the peace; which,

On motion of Mr. Lown,

Was referred to the committee on the judiciary.

Mr. Wells by leave, introduced

No. 209, (A.) A bill declaring Waukesha county jail the states' prison, until otherwise provided by law;

Which was read the first and second times.

Mr. Thorp by leave, introduced

No. 210, (A.) A bill to repeal the first section of an act entitled an act entitled an act, approved March 9th 1848, to legalize certain roads in the town of Salem in Racine county;

Which was read the first and second times.

Mr. Noble moved that the rules be suspended and that said bill be read the third time and passed now;

Which was agreed to.

The said bill was then read the third time, passed; and the title thereof agreed to.

Mr. Burns, from the committee on education and school lands, submitted the following report:

The committee on education and school lands to whom was referred

No. 81, (S.) A bill for the distribution of the income of the school fund,

Have had the same under consideration, and would respectfully report the same back to the assembly without amendment.

TIMOTHY BURNS, *Ch'n.*

The joint select committee on printing to whom was referred bill No. 188, (A.) in relation to printing, and also a communication from the secretary of state of March 16th, have instructed me to report said bill back with the following amendments.

Insert after the words "state department" in the 6th line of section one, the words "in the English language."

Also insert in the 18th line of the said section one, after the word "paper" the words "of a specified size."

With these amendments the committee would respectfully recommend the passage of said bill.

As regards the communication from the secretary of state, it is the opinion of you committee that any deviation which may have been made by the state printer from the contract and samples deposited in the secretary's office, can best be ascertained and satisfactorily investigated when the accounts of the state printer are acted upon by your committee.

All of which is respectfully submitted.

J. D. REYMERT, *Ch'n.*

Mr. Hastings, from the joint enrolling committee, submitted the following report:

The joint committee on enrolled bills reported by the revisors and the committee on the compilation of the laws, would report that they have examined the following named bills, and find them correctly enrolled, viz:

No. 98, (A.) A bill in relation to the law of roads and the regulation of public carriages;

No. 128, (S.) A bill for the relief of insolvent debtors;

No. 146, (A.) A bill relative to recording town plats;

No. 131, (S.) A bill relating to inquests of the dead;

No. 130, (S.) A bill in relation to the support of bastards;

On behalf of the committee.

SAMUEL D. HASTINGS.

Mr. Lown introduced the following resolution:

Resolved, That the judiciary committee be instructed to report back to the assembly on to morrow, bill

No. 91, (S.) A bill relating to the sale of spirituous liquors;

And the question on the adoption thereof,

Having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Burns, Colwell, Colley, Crandall, Crawford, Gillilan, Hastings, Hazard, Kerr, Leland, Lown, Martin, Noble, Nute, Page, Parkinson, Phelps, Pierce, Pike, Pope, Pratt, Reymert, Thorp, Toland, Townsend, Turck, Warren, Wells, Willard, Young and Hobart, (speaker,)—31.

Those who voted in the negative, were

Messrs. Barber, Bird, Bowron, Chase, Clark, Fagan, Flynn, Hill, W. H. Johnson, Solon Johnson, Keuhn, King, Meade, Rockwell, Wasson, and White,—15.

The speaker laid before the assembly a communication from his excellency the governor, as follows:

EXECUTIVE DEPARTMENT,
March 21st, 1849.

To the Assembly:

An act to amend an act entitled an act to provide for the improvement of the Fox and Wisconsin rivers, and connecting the same by a canal, approved August 8th, 1848,

Was on the 20th inst. approved and signed by me and deposited in the office of the secretary of state.

And the following acts to wit:

An act to organize the town of Buena Vista in the county of Richland;

An act to authorize the recording of the town plat of the town of Belmont, in Lafayette county;

An act to legalize a certain road therein named;

An act to amend an act entitled "an act to incorporate the Lawrence Institute of Wisconsin;"

An act to repeal an act entitled an act to amend an act to organize school district No. 1, in Fond du Lac for special purposes, approved February 10, 1847, and all other acts relating to the same subject;

An act to provide for the publication of certain laws;

An act to organize a school district in the town of Sun Prairie, in Dane county;

An act to declare part of a state road to be a lawful highway;

An act in relation to certain school districts in Fond du Lac county;

An act to amend an act, approved August 19th, 1848, entitled an act to organize the several towns therein named;

An act to divide the town of Dane, in the county of Dane into two separate towns;

An act to amend an act to provide for levying and collecting a state revenue;

An act to organize the town of Clayton in Winnebago county;

An act to organize the towns of Primrose and Perry in Dane county;

An act to legalize the acts of the collector of the town of Addison in Washington county;

An act to alter a certain road in Winnebago county;

Joint resolutions relative to a proposed amendment to the constitution of the United States concerning postmasters; and

Memorial to the president of the United States asking that measures may be taken to prevent depredations by Indians;

Have this day been approved and signed and deposited as aforesaid.

NELSON DEWEY.

Mr. Townsend moved that the report of the majority of the judiciary committee on the subject of the resolution relative to the election of a member of the board of public works, in place of Curtis Reed, be adopted.

And the question on the adoption of said motion,

Having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Barber, Bird, Bowron, Burns, Chase, Colwell, Colley, Crandall, Crawford, Fagan, Gillilan, Hastings, Hazard, Kerr, Kuehn, Kimball, King, Leland, Lown, Martin, Meade, Noble, Nute, Page, Parkinson, Phelps, Pierce, Pike, Pope, Pratt, Reymert, Roys, Sugden, Thorp, Toland, Townsend, Turck, Warren, Wasson, Willard, Young, and Hobart, (speaker)—42.

Those who voted in the negative, were

Messrs. Clark, Flynn, Hill, W. H. Johnson, Solon Johnson, Rockwell, Wells, and White,—8.

On motion of Mr. Clark,

The assembly resolved itself into committee of the whole for the consideration of the general file of bills,

Mr. Clark in the chair.

And after some time spent therein the committee rose and by their chairman reported back to the assembly

No. 106, (A.) A bill in relation to Ware-housemen, Storage, Forwarding and Commission Merchants and Millers;

With an amendment.

No. 18, (A.) A bill concerning the acknowledgements of conveyances of real estate made out of this state;

No. 180, (A.) A bill to provide for tribunals of conciliation in and for the several towns in this state and the regulation thereof;

No. 181, (A.) A bill to provide for tribunals of conciliation in and for the several counties in this state and the regulation thereof;

No. 209, (A.) A bill to declare the county jail of Waukesha county the states prison until otherwise provided by law;

No. 81, (S.) A bill relating to the distribution of the income of the school fund;

No. 111, (S.) A bill for an act additional to an act to amend an act to authorize the further sale of canal lands and for other purposes. and the act amendatory thereto, approved March 11, 1848;

No. 108, (S.) A bill to incorporate the Walworth county academy; and

No. 109, (S.) A bill to pay to Daniel Noble Johnson the sum therein named;

Without amendments.

The amendment of the committee of the whole to said bill No. 106, (A.) was concurred in.

The said bills. No. 81, 108, 109, and 111, (S.) were severally ordered to be read the third time.

The question being on ordering said bill No. 18, (A.) to be engrossed and read the third time,

Mr. Wells moved that said bill be laid upon the table;

Which was agreed to.

The quession being on ordering said bill No. 203, (A.) to be engrossed and read the third time,

Mr. Clark moved that the rules be suspended, and that said bill be read the third time and passed now;

Which was agreed to.

The said bill No. 203, (A.) was read the third time, passed, and the title thereof agreed to.

The said bill No. 209, (A.) was ordered to be engrossed and read the third time.

The question being on ordering said bills No. 180 and 181, (A.) to be severally read the third time,

Mr. Hastings moved that said bill be returned to the general file;

Which was agreed to.

Mr. Hastings, from the committee on engrossed bills, reported as correctly engrossed

No. 73, (A.) A bill to provide for the location of a states' prison; and

No. 186, (A.) A bill to prevent the sale of intoxicating liquor to Indians;

The said bill, No. 73, (A.)

Was read the third time;

And the question "Shall the bill pass?"

Having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Barber, Bird, Bowron, Chase, Colwell, Colley, Clark Crandall, Cross, Fagan, Hastings, Hill, W. H. Johnson, Solon Johnson, Juneau, Keuhn, Kimball, King, Lown, Martin, Meade, Noble, Nute, Parkinson, Phelps, Reymert, Roys, Sugden, Toland, Townsend, Warren, Wasson, Wells, White, Young and Hobart, (speaker,)—36.

Those who voted in the negative were

Messrs. Burns, Crawford, Gillilan, Hazard, Kerr, Leland, Page, Pike, Pope, Pratt, Rockwell, Thorp, and Turck—13.

The title of said bill was then agreed to.

Mr. Cross, from the committee on the compilation of the laws reported

No. 211, (A.) A bill to authorize the appointment of commississioners to take the acknowledgement of deeds and other contracts, and depositions in other states;

No. 212, (A.) A bill to punish trespass an lands;

No. 213, (A.) A bill to provide for the annual meeting of the legislature;

No. 214, (A.) A bill concerning the weighing of lead ore, copper ore, and other mineral substance; and

No. 215, (A.) A bill to establish the university of Wisconsin;

Which were severally read the first and second times.

Mr. Martin moved that bill

No. 192, (A.) A bill to vacate part of the plat of the city of Superior;

Be taken from the table;

Which was agreed to.

Mr. White moved that the rules be suspended and that said bill be read the third time and passed now;

Which was agreed to.

The said bill was then read the third time, passed, and the title thereof agreed to.

No. 186, (A.) A bill to prevent the sale of intoxicating liquor to Indians;

No. 81, (S.) A bill in relation to the distribution of the income of the school fund;

No. 108, (S.) A bill to incorporate the Walworth county academy, and

No. 111, (S.) A bill for an act additional to an act to amend an act to authorize the further sale of canal lands, and for other purposes, and the act amendatory thereto, approved March 11, 1848;

Were severally read the third time, passed, and the titles thereof agreed to.

No. 109, (S.) A bill to pay to Daniel Noble Johnson the sum therein named;

Was read the third time;

And the question being on the passage thereof,

Mr. Wells moved that said bill be laid upon the the table

Which was agreed to.

Mr. Kerr, from the committee on enrolled bills, reported as correctly enrolled,

No. 132, (A.) A bill declaring a certain road in the town of Rosendale in Fond du Lac county to be a lawful highway;

No. 173, (A.) A bill to alter the boundaries of certain towns in the county of Marquette;

No. 108, (A.) A bill to divide the town of Brighton in the county of Winnebago;

No. 164, (A.) A bill relative to seals;

No. 201, (A.) A bill to authorize the laying out of a certain road in the town of Madison;

No. 194, (A.) A bill to organize the town of Grand Chute in Brown county;

No. 122, (A.) A bill submitting the question of the extension of the right of suffrage to a vote of the people;

No. 115, (S.) A bill to change the name of the town of Juneau, in the county of Dodge;

No. 84, (S.) A bill to appropriate to Seymour & Varney, to Timothy Robertson, and James Helpin, the sums therein named; and

No. 121, (S.) A bill to declare certain roads in Rock county lawful highways;

The said bills were thereupon signed by the speaker and transmitted to the senate.

On motion of Mr. Burns,

The assembly resolved itself into committee of the whole for the further consideration of bill,

No. 101, (A.) A bill in relation to the school and university lands, the sale and superintendence thereof, and the powers and duties of the commissioners of said lands.

Mr. Meade in the chair.

And after some time spent therein the committee rose, and by their chairman, reported said bill back to the assembly,

With sundry amendments.

The question being on concurring in the amendments of the committee of the whole to said bill;

Mr. Leland moved to amend said bill by striking out the enacting clause thereof,

And the question being on the adoption of said motion,

Having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Hill, Noble, Pierce, Reymert, Roys, and Wasson —6.

Those who voted in the negative, were

Messrs. Barber, Bird, Bowron, Burns, Chase, Colwell, Colley, Clark, Crandall, Crawford, Fagan, Flynn, Gillilan, Hastings, Hazard, Kerr, Kimball, King, Leland, Lown, Martin, Meade, Nute, Page, Parkinson, Phelps, Pope, Pratt, Sugden, Thorp, Toland, Townsend, Turck, Warren, Wells, White, Young and Hobart, (speaker—38.

On motion of Mr. Chase,

The assembly adjourned.

THURSDAY, March 22nd, 1849.

Prayer by the Rev. Mr. Lord.

On motion of Mr. Wells,

The assembly resolved itself into committee of the whole for the consideration of the general file of special bills.

Mr. Thorp in the chair.

And after some time spent therein the committee rose and by their chairman reported back to the assembly

No. 211, (A.) A bill to authorize the appointment of commissioners to take the acknowledgement of deeds and other contracts and depositions in other states;

No. 214, (A.) A bill concerning the weighing of lead ore, copper ore and other mineral substance;

No. 213, (A.) A bill to provide for the annual meeting of the legislature;

No. 207, (A.) A bill concerning religious societies;

No. 215, (A.) A bill to establish the university of Wisconsin;

No. 198, (A.) A bill concerning divorces;

No. 197, (A.) A bill concerning the crime of seduction;

No. 205, (A.) A bill authorizing the maintainance of actions by persons holding claims on U. S. lands;

No. 206, (A.) A bill concerning electric telegraph lines;

No. 212, (A.) A bill to punish trespass on lands; and

No. 7, (A.) Joint resolution relative to seals,

Without amendment; and

No. 199, (A.) A bill concerning marriages,

With amendments.

The amendments of the committee of the whole to said bill No. 199, (A.)

Were concurred in.

The said bills, No. 211, 214, 208, 207, 213, 199, 198, 197, 215, 205, 206, and 212, (A.)

Were severally read the third time, and the rules first having been suspended, were passed and the titles thereof severally agreed to.

And the question being on ordering said bill No. 160, (A.) to be engrossed and read the third time,

Mr. Clark moved that said bill be referred to a select committee of three;

Which was agreed to.

The speaker appointed Messrs. Clark, Noble and Thorp, as said committee.

And the question being on ordering said bill No. 7, (A.) to be engrossed and read the third time,

Mr. Bowron moved that said bill be referred to a select committee of three;

Which was agreed to.

The speaker appointed Messrs. Bowron, Bird and Colley as said committee.

The question being on ordering said bill No. 126, (S.) to be read the third time,

Mr. Barber moved to amend said bill, by striking out down to the word "either," in the fifth line of section second, and insert:

"Before any such writ of attachment shall issue, the plaintiff, or some person in his behalf, shall make an application to some judge of a court of record, or to some other officer authorized to perform the duties of such judge at chambers, establishing to the satisfaction of such officer, by the affidavit of such applicant or other legal proof, that the defendant is indebted to the plaintiff, and specifying the amount of such indebtedness, as near as may be, over and above all legal offsetts, and that the same is due upon contract, express or implied, or upon judgment or decree, and also establishing one or more of the following facts; and add to the section as follows:

And no such writ of attachment shall issue unless such judge or officer to whom such application and proof shall be presented, shall make and sign an order, directing the issuing of such writ, nor until such order and the affidavit and proofs on which such order was made shall be filed with the clerk of the court, in which such writ shall be made returnable."

And the question on the adoption thereof,

Having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Barber, Clark, Crandall, Crawford, Fagan, Gillilan, W. H. Johnson, Kimball, Noble, Parkinson, Pope, Sugden, Warren, and Wasson—15.

Those who voted in the negative, were

Messrs. Bird, Bowron, Chase, Colwell, Colley, Hastings, Hill, Kerr, Keuhn, King, Leland, Lown, Martin, Meade, Nute, Page, Phelps, Pierce, Pike, Pratt, Roys, Thorp, Townsend, White, Willard, Young, and Hobart, (speaker)—25.

Mr. Roys moved to amend said bill, by striking out sections 25, 26 and 27;"

Which was disagreed to.

Mr. Barber moved to amend said bill, by striking out the word "execute," in section second, and insert the word "issued."

Also, by striking out the word "specifying," and insert after the word believe, "the facts and circumstances on which such knowledge and believe is founded."

And the question on the adoption thereof,

Having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Barber, Burns, Chase, Clark, Crawford, Fagan, Gillilan, Hastings, Hazard, Hill, W. H. Johnson, Kimball, King, Meade, Noble, Parkinson, Pope, Reymert, Sugden, Warren, Wasson, and Wells—22.

Those who voted in the negative were

Messrs. Bowron, Colwell, Colley, Cross, Flynn, Kerr, Kuehn, Leland, Martin, Nute, Page, Pierce, Pike, Pratt, Roys, Thorp, Townsend, Turck. White, Willard, Young and Hobart, (speaker.)—22.

Mr. Roys moved to amend said bill.

And the question being on the adoption thereof,

Having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Bird, Bowron, Burns, Colwell, Colley, Crandall, Crawford, Cross, Fagan, Flynn, Hazard, Hill, Solon Johnson, Kuehn, Leland, Martin, Meade, Page, Parkinson, Phelps, Pope, Roys, Sugden, Thorp, Townsend, Turck, Wasson, Wells, White, Willard, Young, and Hobart, (speaker.)—31.

Those who voted in the negative, were

Messrs. Chase, Clark, Gillilan, Kerr, Kimball, King, Noble, Nute, Pierce, Pike, Pratt, Reymert, and Warren,—13.

Mr. Noble moved to amend said bill, by striking out the enacting clause.

And the question on the adoption thereof,

Having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Bird, Bowron, Chase, Colwell, Colley, Crandall, Crawford, Cross, Fagan, Flynn, Gillilan, Hazard, Kerr, Keuhn, King, Martin, Meade, Nute, Page, Phelps, Pierce, Pike, Pope, Pratt, Roys, Sugden, Thorp, Turck, White, Willard, Young and Hobart, (speaker,)—32.

Those who voted in the negative, were

Messrs. Barber, Burns, Clark, Hastings, W. H. Johnson, Solon Johnson, Kimball, Leland, Noble, Parkinson, Reymert, Townsend, Warren, Wasson, and Wells—16.

And the question being on ordering said bill to be read the third time,

Having been put,

It was decided in the affirmative.

Mr. Kerr, from the committee on enrolled bills, reported as correctly enrolled

No. 127, (S.) A bill relating to improvements on real estate.

The said bill was thereupon signed by the speaker and transmitted to the senate.

Mr. Bowron, trom the select committee to whom had been referred

No. 7, (A.) Joint resolutions relative to seals; reported

No. 216, (A.) A bill relative to seals;

Which was read the first and second times.

Mr. Hobart moved that the rules be suspended, and that said bill be read the third time and passed now;

Which was agreed to.

The said bill was then read the third time.

And the question being on the passage of the same,

Having been put, (three fifths of the assembly being present,) It was decided in the affirmative.

Those who voted in the affirmative were

Messrs. Barber, Bird, Bowron, Burns, Chase, Colwell, Colley, Clark, Crandall, Crawford, Cross, Fagan, Flynn, Gillilan, Hastings, Hazard, W. H. Johnson, Solon Johnson, Kerr, Kuehn, Kimball, King, Leland, Martin, Meade, Noble, Nute, Page, Parkinson, Phelps, Pike, Pope, Pratt, Reymert, Roys, Sugden, Thorp, Townsend, Turck, Warren, Wasson, Wells, White, Willard, Young and Hobart, (speaker.)—46.

Those who voted in the negative, were

Messrs. Hill and Pierce,—2.

Mr. Wells, from the committee on legislative expenditures, reported

No. 217, (A.) A bill to appropriate the several sums therein named;

Which was read the first and second times.

On motion of Mr. Bowron,

The assembly adjourned until half past two, P. M.

HALF PAST TWO O'CLOCK, P. M.

A message from the senate by their chief clerk:

MR. SPEAKER:

I am directed to inform you that the senate has adopted the following resolution, in which the concurrence of the assembly is requested, to wit:

Resolved, by the senate and assembly, That the joint committee, consisting of one member from each house, appointed in pursuance of a resolution introduced into the senate on the 25th inst., to examine all enrolled bills reported by the revisers or the committee on compilation, after the same shall have been examined by the enrolling committee, for the purpose of ascertaining whether or not there are any wrong references in the same, and whether the different bills and different parts of the same bill are consistent with each other or not, be and they are hereby authorized to correct any wrong references or slight defects, where said corrections do not involve any principle, or in any measure change the character of the bill, but are necessary to make the bill consistent with itself.

The speaker laid before the assembly the following communication from the committee to revise the laws, to wit:

MADISON, March 23, 1849.

Hon. H. C. Hobart, Speaker of the Assembly:

SIR:—The reports of the commissioners to revise the laws, herewith transmitted, you will please lay before the assembly.

Very respectfully, your ob't serv'ts,
C. M. BAKER,
M. FRANK.

The said reports referred to in the above communication, to wit:

No. 218, (A.) A bill concerning timber and lumber floating upon adjoining waters and carried upon adjoining lands;

No. 219, (A.) A bill concerning public shows and exhibitions; and

No. 220, (A.) A bill concerning the incorporation of villages,

Were severally read the first and second times.

Mr. Noble, from the select committee, to whom the same had been referred, reported back to the assembly

No. 132, (S.) General provisions concerning courts and the powers and duties of certain judicial officers,

Without amendment, recommending the passage thereof.

Mr. Clark, from the select committee, to whom had been referred. reported back to the assembly

No. 112. (S.) A bill relating to pleadings in certain cases;

Without amendment, recommending the passage thereof.

Mr. Clark, from the judiciary committee, to whom had been referred

No. 91, (S.) A bill relating to the sale of spiritous liquors;

Submitted a report which was accepted, to wit:

The majority of the judiciary committee, to whom was referred No. 91, (S.) A bill relative to the sale of spirituous liquors, have had the same under consideration, and would respectfully

REPORT:

That without expressing any opinion as to the propriety or expediency of passing laws containing some of the provisions

said bill, which they consider entirely unnecessary in the present instance, they would call the attention of the assembly to the inartificial and imperfect manner said bill is drawn. Your committee are of the opinion that if said bill should become a law, in its present shape, it would be a nullity upon our statutes, and further, that it would be difficult to perfect said bill so as to give it any force or effect in law.

Your committee presuming that every member of the assembly possessing an ordinary English education will readily discover the imperfections in said bill, have not pointed them out in detail, inasmuch as it is the opinion of your committee that such a course would be a reflection on the intelligence and capacity of the assembly.

Your committee, are however, of the opinion, that if the friends of the bill feel obliged to vote for its passage, that it will not materially injure the profession of the law, and will have no effect whatever on the public, either good or bad.

Your committee, in view of the foregoing, feel constrained to report adverse to the passage of said bill.

SAT CLARK, Jr.,
Chairman committee.

Mr. Chase moved that the said report be laid upon the table and ordered printed;

Which was disagreed to.

The said bill No. 91, (S.) A bill relating to the sale of spirituous liquors,

Was read the third time.

The question on the passage of the bill,

Having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Burns, Colley, Crandall, Crawford, Gillilan, Hastings, Hazard, Kerr, Leland, Lown, Noble, Nute, Page, Parkinson, Phelps, Pierce, Pike, Pope, Pratt, Reymert, Sugden, Thorp, Townsend, Turck, Warren, Wasson, Wells, Willard, and Young,—29.

Those who voted in the negative were

Messrs. Barber, Bird, Bowron, Chase, Colwell, Clark, Fagan, Flynn, Hill, W. H. Johnson, Solon Johnson, Juneau, Keuhn, Kimball, King, Martin, Rockwell, Roys, Toland, White, and Hobart, (speaker,)—21.

The title of said bill was then agreed to.

Messages from the senate were taken up.

No. 65, (S.) A bill to provide for the permanent location of the seat of justice of Washington county;

No. 104, (S.) A bill to appropriate the several sums therein named;

No. 134, (S.) A bill relative to informations, writs of mandamus and prohibition;

No. 137, (S.) Of the relief and support of the poor;

No. 135, (S.) An act relating to private nuisances and general provisions relating to actions concerning real estate;

No. 138, (S.) A bill concerning navigable rivers;

No. 139, (S.) Of the incorporation of companies to construct plank and turnpike roads,

Were severally read the first and second times.

Mr. S. Johnson moved that the further consideration of said bill No. 65, (S.) be indefinitely postponed.

And the question on the adoption of said motion,

Having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Bird, Chase, Colwell, Colley, Crandall, Crawford, Gillilan, Hazard, W. H. Johnson, Solon Johnson, Kerr, Kimball, Leland, Martin, Meade, Noble, Phelps, Pike, Pope, Pratt, Roys, Thorp, Townsend, Warren, and Young,—25.

Those who voted in the negative, were

Messrs. Barber, Bowron, Clark, Fagan, Flynn, Hastings, King, Lown, Nute, Page, Parkinson, Reymert, Rockwell, Sugden, Toland, Turck, Wasson, White, Willard, and Hobart, (speaker,)—20.

The resolution of the senate relative to the joint select enrolling committee on compilation committee and revisers reports,

Was concurred in.

No. 126, (S.) A bill relating to proceedings against debtors by attachment;

Was read the third time, passed, and the title thereof agreed to.

Mr. Hastings, from the committee on engrossed bills, reported as correctly engrossed

No. 106, (A.) A bill in relation to Ware-housemen, Storage, Forwarding and Commission Merchants and Millers; and

No. 209, (A.) A bill to declare the county jail of Waukesha county the states prison until otherwise provided by law.

On motion of Mr. Bowron,

The assembly resolved itself into committee of the whole for the consideration of bill,

No. 217, (A.) A bill to appropriate the several sums therein named;

Mr. Chase in the chair.

And after some time spent therein the committee rose, and by their chairman, reported said bill back to the assembly,

With sundry amendments.

The question being on the first amendment, which was,

To strike out 116 and insert 240 in 4th section,

Having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Barber, Bird, Bowron, Burns, Colwell, Clark, Crawford, Fagan, Gillilan, Hill, W. H. Johnson, Solon Johnson, Jnneau, Kuehn, Kimball, King, Lown, Noble, Parkinson, Phelps, Pierce, Reymert, Roys, Toland, Townsend, White, Young, and Hobart, (speaker,)—28.

Those who voted in the negative, were

Messrs. Chase, Colley, Crandall, Flynn, Hastings, Hazard, Kerr, Leland. Martin, Nute, Page, Pike, Pope, Pratt, Thorp, Warren, Wasson, Wells, and Willard,—16.

The question being on the second amendment, which was,

To strike out and insert "240" in 5th section,

Having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Barber, Bird, Bowron, Burns, Colwell, Colley, Clark, Crandall, Fagan, Gillilan, Hastings, Hill, W. H. Johnson, Solon Johnson, Juneau, Keuhn, Kimball, King, Leland, Lown, Noble, Nute, Parkinson, Phelps, Pierce, Pope, Reymert, Rockwell, Roys, Thorp, Toland, Townsend, Warren, Wasson, White, Young and Hobart, (speaker,)—38.

Those who voted in the negative, were

Messrs. Chase, Crawford, Flynn, Hazard, Kerr, Martin, Page, Pike, Pratt, Wells, and Willard,—11.

The third, fourth, fifth and sixth amendments to the said bill,

Were severally concurred in.

Mr. Hastings moved that said bill be laid upon the table, and that the members of the assembly make known to the chief clerk the number of days that each member had been absent from his seat during this session.

Mr. Noble moved to lay the same upon the table.

And the question on the adoption of said motion,

Having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Barber, Bird, Bowron, Burns, Colwell, Crandall, Gillilan, W. H. Johnson, Solon Johnson, Kimball, Leland, Noble, Page, Phelps, Pierce, Pike, Rockwell, Townsend, Warren, Wasson, Young and Hobart, (speaker.)—22.

Those who voted in the negative were

Messrs. Colley, Clark, Crawford, Fagan, Flynn, Hastings, Hazard, Hill, Juneau, Kerr, Kuehn, King, Lown, Martin, Nute, Parkinson, Pope, Pratt, Reymert, Roys, Thorp, Toland, Turck, Wells and Willard,—25.

Mr. Wells moved that the vote by which the further consideration of bill

No. 65, (S.) A bill to provide for the permanent location of the seat of justice of Washington county,

Was indefinitely postponed, be re-considered.

Mr. Crawford moved that said motion be laid on the table;

Which was disagreed to.

And the question being on the re-consideration of said vote,

Having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Barber, Bowron, Clark, Crawford, Fagan, Flynn, Hastings, Hill, King, Lown, Noble, Nute, Page, Parkinson, Rockwell, Toland, Turck, Wasson, Willard, and Hobart, (speaker,)—20.

Those who voted in the negative, were

Messrs. Bird, Burns, Colwell, Colley, Crandall, Cross, Gillilan, Hazard, W. H. Johnsen, Solon Johnson, Kerr, Keuhn, Kimball, Leland, Martin, Phelps, Pierce, Pike, Pope, Pratt, Thorp, Townsend, Warren, Wells and Young—25.

Mr. Toland introduced the following resolution, which was adopted, to wit:

Resolved, That the state treasurer, be, and he is hereby required, forthwith, to furnish to the assembly the information promised in his communication of the 12th inst., or to give the reasons why such information is withheld.

Mr. Noble introduced the following resolution, which was adopted, to wit:

Resolved, That the state treasurer be directed to report to this house, forthwith, the present state of the report called for by the resolution communicated to him, March 12th, and also state at what time he will present it to this body.

Resolved further, That the chief clerk be instructed to communicate a copy of this resolution to the state treasurer immediately.

Mr. Barber introduced the following resolution, which was adopted, to wit:

Resolved, That the secretary of state be requested to report to the assembly a statement showing the amount of state revenue due from the several counties of this state, which remains unpaid, and the amount due from each defaulting county, respectively.

Mr. Clark, from select committee, submitted the following report:

The select committee to whom was referred

No. 160, (A.) A bill to prevent forcible entries and detainers,

Have had the same under consideration and respectfuly report said bill back to the assembly, and recommend its passage with the following amendment, to wit:

Strike out the word "three," where it occurs in the third section of said bill and insert "six;" also, strike out the word "six" where it occurs in section 3, and insert "ten."

All of which is respectfully reported,

SAT. CLARK, Jr., *Ch'n.*

On motion of Mr. Wells,

The assembly adjourned.

FRIDAY, March 23d, 1849.

Prayer by the Rev. Mr. Penman.

Mr. Chase moved that the rules be suspended, and that

No. 132, (S.) General provisions concerning courts and the powers and duties of certain judicial officers,

Be read the third time and passed now;

Which was agreed to.

The said bill was then read the third time, passed, and the title thereof agreed to.

The pending question being on the adoption of the resolutions offered by Mr. Hastings on yesterday,

Mr. Noble moved that the further consideration thereof be indefinitely postponed;

Which was agreed to.

Mr. Burns moved that bill

No. 217, (A.) A bill to appropriate the several sums therein named,

Be recommitted to the committee of the whole;

Which was agreed to. Thereupon

The assembly resolved itself into committee of the whole for the further consideration of said bill.

Mr. Crandall in the chair.

And after some time spent therein the committee rose and by their chairman reported said bill back to the assembly

With sundry amendments.

The amendments of the committee of the whole to said bill were concurred in.

And the question being on ordering said bill to be engrossed and read the third time,

Mr. Bird moved to amend said bill, by striking out the third section;

Which was disagreed to.

Mr. Crawford moved to amend by making the appropriation of the chief clerk amount to five dollars per day;

Which was disagreed to.

Mr. Colley moved to amend by adding a new section:

Appropriate to C. S. Jordon the same amount as was appropriated to Messrs. Baker and Frank the revisers, his colleagues;

Which was disagreed to.

The said bill was then ordered to be engrossed and read the third time.

The speaker laid before the assembly as received from the revisers,

No. 221, (A.) A bill concerning Hawkers and Pedlers;

No. 222, (A.) A bill on general principles concerning husband and wife; and

No. 223, (A.) A bill concerning the money of account;

Which were severally read the first and second times.

The speaker laid before the assembly the following communication from the state treasurer:

STATE TREASURER'S OFFICE,
Madison March 23d, 1849.

Hon. H. C. Hobart:

DEAR SIR: I have a copy of two resolutions from the assembly calling for information in relation to a certain report called for by a previous resolution

The previous resolution called for record information not kept in my office, which of course it was and is out of my official power to communicate to your honorable body.

The information called for in relation to the receipts and disbursements "promised" in my answer to the previous resolution would have been given ere this, only for the reason that I suggested the propriety of sending a committee to examine the books and vouchers in my office, and had conversations with quite a number of the members, they all thought that a full copy report of my books would be unnecessary in as much as it would not show, the indebtedness of the counties which they said was the object of the resolution.

But as the information is again called for, I will make out a report at the earliest moments and send it to the assembly.

I would respectfully ask that a joint committee of both houses of the legislature be raised to examine and cancel the vouchers on hand, so that I may have credit for their amount on the books of the secretary of state.

With great respect,
I am your humble servant,
J. C. FAIRCHILD,
State Treasurer.

Mr. Barber moved that bill

No. 101, (A.) A bill in relation to the school and university lands, the sale and superintendence thereof, and the powers and duties of the commissioners of said lands.

Be recommitted to the committee of the whole;

Which was agreed to. Whereupon

The assembly resolved itself into committee of the whole for the further consideration of said bill.

Mr. Bird in the chair.

And after some time spent therein the committee rose, and by their chairman reported said bill back to the assembly

With sundry amendments.

The question being on concurring in the amendments of the committee of the whole to said bill,

On motion of Mr. Noble,

The assembly adjourned until half past two, P. M.

HALF PAST TWO O'CLOCK, P. M.

The question being on concurring in the following amendment to said bill No. 101, (A.) to wit:

Strike out the word "before" and insert after the word "shall," first line, second section, the words "between the first day of January and."

And the question having been put,

It was decided in the negative.

The first, third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth, fourteenth, fifteenth and sixteenth amendments of the committee of the whole to said bill were concurred in.

The first amendment of the committee of the whole to the amendment reported by the committee on school and university lands, was concurred in.

The question being on the adoption of the proviso offered by Mr. Wells to the second section of the amendment reported by the committee,

Mr. Hastings moved to amend by striking out said proviso, and insert the following:

Provided, That the amount of monies received in any one county from the sale of the 16th sections, shall be loaned in the several counties where said sections are located, and that the monies arising from the sale of the 500,000 acres of land granted by Congress to the school fund, and the monies arising from the sale of the university lands and all other monies paid into said fund from all other sources shall be loaned in the several counties of the state, in proportion to their population under the basis of the last census: Provided, Application shall be made in the several counties for their share of said monies, and the requisite securities offered within one month from the time said monies shall be paid into the treasury.

And the question being on the adoption thereof,

Having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Barber, Chase, Colwell, Colley, Crandall, Crawford, Cross, Fagan, Flynn, Hastings, Kerr, Kimball, King, Leland, Lown, Martin, Nute, Page, Phelps, Pope, Pratt, Reymert, Thorp, Toland, Turck, Wasson, and White,—27.

Those who voted in the negative, were

Messrs. Bird, Bowron, Burns, Clark, Gilljlan, Hazard, Hill, Kuehn, Parkinson, Pierce, Pike, Rockwell, Sugden, Thomas, Townsend, Warren, Wells, Young, and Hobart,(speaker.)—19.

Mr. Colley moved that the vote by which said amendment was adopted be re-considered;

Which was agreed to.

And the question on the adoption of the said amendment thereof,

Having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Bird, Chase, Crawford, Flynn, Hastings, Kerr, Martin, Page, Pratt, Reymert, Wasson, and White,—12.

Those who voted in the negative, were

Messrs. Barber, Bowron, Burns, Colwell, Colley, Clark, Crandall, Fagan, Gillilan, Hazard, Hill, W. H. Johnson, Kuehn, Kimball, King, Leland, Nute, Parkinson, Phelps, Pierce, Pike, Pope, Roys, Thomas, Thorp, Toland, Townsend, Turck, Warren, Wells, Young and Hobart, (speaker,—42.)

And the question recurring on the adoption of the proviso offered by Mr. Wells to said section two;

Having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Barber, Burns, Colley, Clark, Crandall, Crawford, Fagan, Gillilan, Hazard, Hill, W. H. Johnson, Kuehn, Kimball, King, Lown, Nute, Page, Parkinson, Pierce, Pike, Pope, Roys, Thomas, Thorp, Toland, Townsend, Warren, Wells, Young, and Hobart, (speaker)—30.

Those who voted in the negative, were

Messrs. Bird, Bowron, Colwell, Flynn, Hastings, Kerr, Leland, Martin, Phelps, Pratt, Reymert, Turck, Wasson, and White,—14.

A message from the senate by their chief clerk:

MR. SPEAKER:

I am directed to inform you that the senate has concurred in the amendments of assembly to

No. 126, (S.) A bill relating to proceedings against debtors by attachment, and

No. 111, (S.) A bill for an act additional to an act to amend an act to authorize the further sale of canal lands, and for other purposes, and the act amendatory thereto, approved March 11, 1848;

I am directed to inform you that the senate has elected Mr. Asa

Kinney president pro tem. of the senate, in the absence of the lieutenant governor.

And has passed

No. 117, (S.) A bill to amend an act entitled an act to incorporate the Southport and Beloit Road Company; and

No. 124, (S.) A bill to incorporate the Watertown academy;

In which the concurrence of the assembly is requested.

And that the senate has concurred in the passage of

No. 166. (A.) A bill to authorize the issuing patents for canal lands sold and not patented, and to provide for payment and discharge of mortgages thereon;

No. 131, (A.) A bill to organize the town of La Prairie in the county of Rock;

No. 140, (A.) A bill to authorize the construction of a bridge across Fox river;

No. 187, (A.) A bill relating to the admission of attorneys at law;

No. 192, (A.) A bill to vacate part of the plat of the city of Superior, in Dane county;

No. 202, (A.) A bill to provide for laying out a state road,

No. 204, (A.) A bill to vacate a part of Johnson street, in the village of Port Washington;

Without amendments.

And has concurred in the passage of

No. 134, (A.) A bill to legalize the acts of certain town officers in the town of Spring Prairie, and to declare a road therein described a lawful highway;

No. 141, (A.) A bill to authorize the construction of a bridge across Fox river;

No. 156, (A.) A bill to authorize the aldermen of the first ward of the city of Milwaukee to levy a special tax to raise money for the purpose of erecting a market house in said ward,

No. 183, (A.) A bill to provide for recording contracts relating to lands;

With amendments to each.

In which the concurrence of the assembly is requested.

Mr. Kerr, from the committee on enrolled bills, reported,

That they have examined and find correctly enrolled

No. 52, (S.) A bill supplementary to an act to incorporate the Milwaukee Mutual Fire Insurance company, approved Dec. 27th, 1847, and an act to amend an act to incorporate the Milwaukee Mutual Fire Insurance company, approved Feb. 4th, 1848;

No. 81, (S.) A bill in relation to the distribution of the income of the school fund;

No. 111, (S.) A bill for an act additional to an act to amend an act to authorize the further sale of canal lands and for other purposes. and the act amendatory thereto, approved March 11, 1848; and

No. 108, (S.) A bill to incorporate the Walworth county academy.

Mr. Hastings, from the committee on engrossed bills, reported as correctly engrossed,

No. 217, (A.) A bill to appropriate the several sums therein named.

On motion of Mr. Hill,

The assembly adjourned.

SATURDAY, March 24th, 1849.

Prayer by the Rev. Mr. Lord.

Mr. Leland introduced the following resolutions, which were read as follows;

Resolved, by the assembly, (the senate concurring,) That the Hon. Isaac P. Walker, one of the senators of the state of Wisconsin in congress, by offering and sustaining by his vote, an amendment to the appropriation bill. extending the constitution and laws of the United States over New Mexico and California, and placing unlimited power in the hands of the president to make rules and regulations for the government of said territories, without incorporating therein the ordinance of 1787, or any other provision against the introduction of slavery into those territories, did violate the positive instructions of the legislature of Wisconsin.

Resolved, That the said Isaac P. Walker be, and he is hereby instructed to resign his seat in congress.

Resolved, That we commend with pleasure the course of senator Dodge of Wisconsin, in leaving his sick bed and presenting the anti-slavery resolutions.

Mr. Wells moved that said resolutions be referred to a select committee of three;

Which was agreed to.

The speaker appointed Messrs. Wells, Noble, and Barber as said committee.

Mr. Townsend, by leave, introduced

No. 224, (A.) A bill to legalize certain roads in Winnebago, county;

Which was read the first and second times.

Mr. Townsend moved that the rules be suspended and that said bill be read the third time now;

Which was agreed to.

The said bill was then read the third time, passed, and the title thereof agreed to.

No. 217, (A.) A bill to appropriate the several sums therein named;

Was read the third time;

And the question "Shall the bill pass ?"

Having been put, (three fifths of the members being present)

It was decided in the affirmative.

Those who voted in the affirmative, were

Messrs. Bowron, Chase, Colwell, Colley, Fagan, Flynn, Gillilan, Solon Johnson, Leland, Lown, Martin, Noble, Nute, Page, Phelps, Pierce, Reymert, Thorp, Townsend, Turck, Wells, Willard, and Hobart, (speaker,)—23.

Those who voted in the negative were

Messrs. Clark. Crawford, Hastings, Hazard, Hill, W. H. Johnson, Juneau, Kerr, Keuhn, Kimball, King, Parkinson, Pike, Pope, Roys, Sugden, Thomas. Toland, Warren, Wasson, White and Young—22.

The title of said bill was then agreed to.

Mr. Hastings, from the joint select committee on bills reported by the revisers and compilers reported as correctly enrolled

No. 76, (A.) A bill in relation to the assessment and collection of taxes;

No. 107, (S.) A bill in relation to testimony and depositions; and

No. 99, (S.) A bill in relation to highways and bridges.

Mr. Clark moved that bill

No. 193, (A.) A bill to repeal all the acts which are consolidated in the revised statutes;

Be referred to a select committee of three;

Which was agreed to.

The speaker appointed Messrs. Clark, Daugherty, and Sugden as said committee.

The pending question being on concurring in the amendments of the committee of the whole to bill

No. 101, (A.) A bill in relation to the school and university lands, the sale and superintendence thereof, and the powers and duties of the commissioners of said lands.

The third, fifth, sixth and seventh amendments to the amendment offered to said bill by the select committee,

Were severally concurred in.

The fourth amendment, was non-concurred in.

The question being on concurring in the eighth amendment, which was, to add to said bill, as follows:

Sec. —— In order to facilitate the payment of interest and other monies due to the common school and university funds, by the people in the several counties, towns, and cities of the state, for school or university lands, as well as on mortgages given for school and university moneys loaned by the commissioners aforesaid, and for the more convenient disburement and distribution of the school monies in the several counties, towns and cities, the several county treasurers shall be selected by the commissioners aforesaid, as depositories for the time being, for receiving and disbursing the school monies within their respective limits, subject to such rules, regulations and restrictions, as may from time to time be prescribed and required by said commissioners, amply sufficient to secure a strict accountability in the safe keeping and disbursement of the monies that may be placed in the hands of such depositories. A certificate of deposit of the county treasurer, wherein any school or university lands may, so sold, lie, of any money due from the purchaser of said lands to be disbursed conformably to law, shall be deemed a payment by such purchaser of the sum mentioned in such certificate, and shall upon request be endorsed and credited on the mortgage or other evidence of indebtedness against such purchaser in the hands of the state treasurer or commissioners.

And having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Chase, Colley, Crawford, Daugherty, Fagan, Gillilan, Noble, Page, Pope, Rockwell, Townsend, Turck, Willard, Young and Hobart, (speaker.)—15.

Those who voted in the negative, were

Messrs. Barber, Bowron, Burns, Colwell, Clark, Flynn, Hastings, Hazard, Hill W. H. Johnson, Solon Johnson, Kerr, Kuehn, Kimball, King, Leland, Lown, Martin, Nute, Parkinson, Phelps, Pierce, Pike, Pratt, Reymert, Roys, Sugden, Thomas, Thorp, Toland, Warren, Wasson, Wells, and White, —34.

Mr. Thomas moved to amend the bill by adding, as follows:

Sec. —— The monies arising from the sale of the sixteenth sections in each township, and from the sale of the university and school lands situate within each township, shall be loaned out to inhabitants of the same township in which it was paid in, if proper application to hire the same shall be made after the money is paid into the treasury.

And the question on the adoption thereof,

Having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Bird, Burns, Chase, Clark, Daugherty, Flynn, Hill, Solon Johnson, Martin, Noble, Rockwell, Sugden, Thomas, Townsend, Wasson, White, Willard, and Hobart, (speaker) —18.

Those who voted in the negative, were

Messrs. Barber, Bowron, Colwell, Colley, Crawford, Fagan, Gillilan, Hastings, Hazard, W. H. Johnson, Juneau, Kerr, Keuhn, Kimball, King, Leland, Lown, Nute, Page, Parkinson, Phelps, Pierce, Pike, Pope, Pratt, Reymert, Roys, Thorp, Toland, Turck, Warren, Wells and Young,—33.

Mr. Leland moved to amend the bill by adding:

Sec. —— Any actual settler being the head of a family who has, or may hereafter settle upon any of the school or university lands, in the counties or parts of counties, north and west of the Wisconsin river, or north of the Fox river, shall be entitled to a pre-emption on any legal subdivision of said lands, not exceeding in quantity, one quarter section at the appraised value thereof, irrespective of the value of the improvements thereon.

And the question on the adoption thereof,

Having been put,

It was decided in the negative.

Mr. Clark moved to amend said bill by adding the following sections:

Sec. —— There is hereby secured to any person, or persons, who now are, and who previous to the appraisal had been in the occupancy by lease or otherwise of any of the school or university lands in this state, the right of pre-emption to such portion of said lands so occupied or held by such person at the appraised value thereof: *Provided*, That no such right shall extend to more than the least subdivision, not exceeding forty acres of such land.

Sec. —— Whenever the said school or university lands, shall be offered for sale, any person or persons residing thereon, or holding the same by lease, wishing to avail themselves of the pre-emption right secured to them in the preceding section, shall, at any time before the day of such sale, prove up their right to such pre-emption before the said commissioners, by the affidavits of two or more disinterested persons, citizens of this state, and comply with the same conditions and obligations as are imposed upon other purchasers of said lands.

Sec. —— If any person entitled to a pre-emption right, as is above provided in the preceding sections, shall, previous to the day set for the sale of said lands, fail to prove up his pre-emption, as is prescribed in the preceding section, and comply with the terms and conditions imposed upon him, he shall forfeit all right to such pre-emption, and the said lands so occupied may be offered, as other lands, and sold on the same conditions at such sale.

And the question on the adoption thereof,

Having been put,

It was decided in the affirmative.

Mr. Barber moved to amend the said bill, by adding the following sections, to wit:

Sec. —— The commissioners shall, out of the first monies arising from the sale of school and university lands, deposite with the state treasurer the sum of fifty thousand dollars to repay to the state the amount which may have been paid for the location of the residue of the five hundred thousand acres in pursuance of "an act providing for the appointment of commissioners to locate the school and other lands granted to the state by congress, approved July 29, 1848," and to pay to the several counties the amount paid by them for the expense of the appraisal and subdivision of the school and university lands.

Sec. —— On the production to the secretary of state, by any county treasurer. of a certified statement from the clerk of the board of supervisors of his county, showing the amount with the several items which shall have been audited and paid by the county for the appraisal and subdivision of any school and university lands in such county, he shall, if the same is found correct, certify to the state treasurer the amount due thereon, which shall on the presentation thereof to the treasurer be paid to such county treasurer out of the monies so deposited with him, as specified in the preceding section of this act.

Sec. —— Of the amount so deposited with the state treasurer, should there be an excess beyond what is required to meet the demands of the several counties, as provided in the preceding section, the same shall be used as other state funds in payment of state indebtedness, and the amount so used shall be repaid to the fund to which it belonged out of the revenue which shall be collected for the present year, with interest at the rate of seven per cent. from the time it may be used until repaid, to be loaned out as other school and university monies are directed to be loaned.

Sec. —— All necessary expenses incurred by the appraisers of the school and university lands, for the employment of surveyors, chainmen or packers, during the time said appraisers were engaged in the appraisal and subdivision of said lands, shall be paid out of the county treasury of each county upon the certificate of said appraisers, to be refunded to such county paying the same, at the same time and in the same manner that the expenses of the appraisers are.

And the question on the adoption thereof,

Having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Barber, Bowron, Colwell, Clark, Fagan, Hastings, Juneau, Kimball, King, Martin, Meade, Rockwell, Roys, Thomas, Thorp, Townsend, Warren, Wells, White, and Hobart, (speaker.)—20.

Those who voted in the negative, were

Messrs. Bird, Burns, Chase, Colley, Crawford, Daugherty, Flynn, Gillilan, Hazard, Hill W. H. Johnson, Solon Johnson, Kerr, Kuehn, Leland, Lown, Noble, Nute, Page, Parkinson, Phelps, Pierce, Pike, Pope, Pratt, Reymert, Sugden, Toland, Turck, Wasson, Willard, and Young—32.

Mr. Burns moved to amend the bill, by adding a new section, as follows:

Sec. —— The commissioners are hereby authorized to sell the lands upon which pre-emption rights have been, or may hereafter be proved, to the person proving the right thereto, as is provided in the preceding sections, at the appraised value thereof, if such value shall not be a less sum than one dollar and twenty-five cents per acre, and for all lands claimed by pre-emption, as aforesaid, which have been appraised at a less sum than one dollar and twenty-five cents per acre, the commissioners are hereby authorized and required to increase the said appraisal to said sum, so that in no instance whatsoever, shall any of the school or university lands, within this state, be sold to pre-emptors at a less sum than one dollar and twenty-five cents per acre.

And the question on the adoption thereof,

Having been put,

It was decided in the affirmative.

Mr. Roys moved to amend said bill, by striking out section "sixty-seven;"

Which was agreed to.

Mr. Burns moved further to amend said bill, by adding an additional section:

Sec. —— Whenever there shall be in the treasury any money belonging to the capital of the school and university fund, exceeding one thousand dollars, it shall be the duty of the commissioners of the school and university lands to invest the same in the manner as is hereinafter provided.

And the question being on the adoption thereof,

Having been put,

It was decided in the affirmative.

Mr. Chase moved to amend sec. —— of said bill, by adding:

"That no one person shall bid or become the purchaser of more than 160 acres of said land in this state."

And the question on the adoption thereof,

Having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Bird, Burns, Chase, Colwell, Colley, Clark, Crawford, Daugherty, Fagan, Flynn, Gillilan, Hastings, Hazard, Kerr, Leland, Lown, Martin, Meade, Noble, Nute, Page, Phelps, Pope, Pratt, Reymert, Rockwell, Roys, Sugden, Thomas, Thorp, Toland, Warren, Wasson, Wells, White, Willard, Young, and Hobart, (speaker,)—38.

Those who voted in the negative, were

Messrs. Bowron, Hill, Solon Johnson, Juneau, Kuehn, Kimball, King, Pierce, Pike, Townsend, and Turck,—11.

Mr. Meade moved to amend said bill, by adding, as follows:

Sec. —— The act to amend an act providing for the appraisal and subdivision of the school and university lands, approved March 2, 1849, shall not be so construed as to prevent the commissioners for the counties of Brown and Winnebago from proceeding in the appraisal and submission of the surveyed lands in said counties north and west of the Fox river, in the same manner as if said act had not passed.

And the question on the adoption thereof,

Having been put,

It was decided in the affirmative.

Mr. Meade moved further to amend said bill, by adding, as follows:

Sec. —— All necessary expenses incurred by the appraisers of the school and university lands, for the employment of surveyors, chainmen or packers, during the time said appraisers were engaged in the appraisal and subdivision of said lands, shall be paid out of the county treasury of each county upon the certificate of said appraisers to be refunded to such county paying the same, at the same time and in the same manner that the expenses of the appraisers are.

And the question on the adoption thereof, having been put,

It was decided in the affirmative.

Mr. Meade moved to amend said bill by adding as follows:

Sec. —— On the production to the secretary of state, by any county treasurer, of a certified statement from the clerk of the board of supervisors of his county, showing the amount, with the several items, which shall have been audited and paid by the county for the appraisal and subdivisien of any school and university lands, in such county, he shall, if the same is found correct, certify to the state treasurer the amoent due thereon, which shall, on the presentation thereof to the treasurer, be paid to such county treasurer out of the monies arising from the first sales.

And the question on the adoption thereof,

Having been put,

It was decided in the negative.

Mr. Wells moved that the vote by which the assembly concurred in the 5th amendment of the committee of the whole, which was, to insert the word "twenty," be re-considered;

Which was agreed to.

And the question being on concurring in the amendment,

Mr. Crawford moved a division of the question.

The speaker decided the question to be divisible.

And the question, first, being on striking out,

Having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Barber, Bird, Bowron, Burns, Chase, Colwell, Clark, Daugherty, Gillilan, Hastings, Hazard, Hill, Solon Johnson, Kerr, Kuehn, King, Kimball, Noble, Nute, Page, Parkinson, Pierce, Pike, Pratt, Reymert, Thorp, Warren, Wasson, Wells, and Young—30.

Those who voted in the negative were

Messrs. Colley, Crawford, Fagan, Flynn, Leland, Lown, Martin, Meade, Phelps, Pope, Rockwell, Roys, Thomas, Toland, Townsend, Turck, White, Willard, and Hobart, (speaker.)—19.

The question then being on inserting,

Mr. Bowron moved to fill the blank with the word "ten."

And the question on the adoption thereof,

Having been put,

It was decided in the affirmative.

The amendments to said bill made by the committee on school and university lands, as amended,

Were concurred in.

Mr. Hazard moved to amend section 25, of the bill,

By inserting after the word "section," in 4th line, the words "together with all taxes levied thereon;"

Which was agreed to.

The said bill was then ordered to be engrossed and read the third time.

Mr. Burns introduced the following resolution, which was adopted, to wit:

Whereas, J. L. Enos, proposes to publish an educational journal, entitled "The North Westeren Educator," at Racine and Milwaukee, and as it is important that some acknowledged medium of communication should exist between the superintendent of public instruction and the several school officers of the state, Therefore,

Resolved, by the senate and assembly, That "The North Western Educator," published by James L. Enos, be the medium of communication between the department of the superintendent of public instruction, and district, town and county officers conected with the common schools of the state: *Provided*, That no charge be made to the state or school fund, or any of said officers by virtue of this resolution.

On motion of Mr. Clark,

The assembly adjourned until half past two, P. M.

HALF PAST TWO O'CLOCK, P. M.

Mr. Thomas presented the account of George Hyer for newspapers furnished the legislature;

Which was referred to the committee on claims.

Mr. Clark, from the judiciary committee, to whom had been referred the petition of the board of supervisors of Brown county, asking authority to levy a tax to build a poor house, reported adversely to the prayer of the petitioners.

The speaker laid before the assembly the following communication from the secretary of state, to wit:

SECRETARY'S OFFICE,
March 24, 1849.

Hon. H. C. Hobart, Speaker of the Assembly:

SIR:—Herewith, in accordance with a resolution of the assembly, I have the honor to transmit a statement of the amount of revenue due the state from the several counties.

With great respect,
Your obedient servant,
THOMAS McHUGH,
Secretary of State.

On motion of Mr. Clark,

The said communication, including the abstract, was laid upon the table and ordered printed.

On motion of Mr. White,

No. 139, (A.) A bill to amend an act entitled an act to incorporate the city of Milwaukee,

Was taken from the general file.

And the question being on concurring in the first amendment of the committee to said bill,

And having been put,

It was decided in the affirmative.

The said amendment of the committee to said bill,

Was non-concurred in.

Mr. White moved that the rules be suspended and that said bill be read the third time now.

The said bill was then read the third time, passed, and the title thereof agreed to.

Mr. Burns by leave, presented

The petition of Isaac L. Haton and other citizens of Jefferson county, praying for an act to incorporate a normal school at Lake Mills in said county;

Which was referred to the committee on education and school lands.

Mr. Parkinson by leave, introduced

No. 225, (A.) A bill to authorize the construction of a dam across the Peckatonica river in La Fayette county;

Which was read the first and second times.

Mr. Parkinson moved that the rules be suspended, and that said bill be read the third time and passed now.

The said bill was then read the third time, passed, and the title thereof agreed to.

Mr. Turck introduced the following resolution which was adopted, to wit:

Resolved, That a committee of three be appointed in pursuance with the request of the state treasurer to examine the receipts and disbursements of that office, and report to this house as soon as practicable.

The speaker appointed Messrs. Turck, Hastings and Craw- as the committee under said resolution.

Mr. Willard introduced the following resolution, to wit:

Resolved, by the assembly the senate concurring, That the joint select committee on enrolled bills be, and are hereby directed and empowered to fill the blank in section "two" in the chapter of homicide with years.

The clause in said section in which said blank is found reads as follows:

When perpetrated without any design to effect death by a person engaged in the commission of any felony, shall be murder in the third degree, and shall be punished by imprisonment in the states's prison not more than years.

Mr. Toland moved that said resolution be referred to the committee on the judiciary;

Which was agreed to.

The message from the senate of yesterday was taken up, and

No. 117, (S.) A bill to amend an act entitled an act to incorporate the Southport and Beloit Road Company; and

No. 124, (S.) A bill to incorporate the Watertown academy;

Were severally read the first and second times.

Mr. Colley moved that the rules be suspended, and that said bills be read the third time now;

Which was agreed to.

The said bills were then severally read the third time and the titles thereof agreed to.

The amendments of the senate to bills

No. 134, (A.) A bill to legalize the acts of certain town officers in the town of Spring Prairie, and to declare a road therein described a lawful highway;

No. 141, (A.) A bill to authorize the construction of a bridge across Fox river; and

No. 156, (A.) A bill to authorize the aldermen of the first ward of the city of Milwaukee to levy a special tax to raise money for the purpose of erecting a market house in said ward,

Were severally concurred in.

No. 106, (A.) A bill in relation to Ware-housemen, Storage, Forwarding and Commission Merchants and Millers,

Was read the third time and passed.

And the question being on agreeing to the title of said bill,

Mr. Roys moved that the title be so amended as to read, "a bill for laying out certain roads therein named;"

Which was agreed to.

The title as amended was then agreed to.

No. 209, (A.) A bill declaring Waukesha county jail the states' prison, until otherwise provided by law;

Was read the third time, passed, and the title thereof agreed to.

The assembly resolved itself into committee of the whole for the consideration of the general file of bills,

Mr. Pike in the chair.

And after some time spent therein the committee rose and by their chairman reported back to the assembly

No. 73, (S.) A bill to punish trespass on university and school lands;

No. 180, (A.) A bill to provide for tribunals of conciliation in and for the several towns in this state; and

No. 181, (A.) A bill to provide for tribunals of conciliation in and for the several counties in this state and the regulation thereof;

Without amendments.

The said bill No. 73, (S.) was then read the third time, passed, and the title thereof agreed to.

And the question being on ordering said bill No. 180, (A.) to be engrossed and read the third time,

Mr. Bowron moved to amend the 16th section of said bill by inserting after the word "peace" in the second line the words "in those towns where commissioners of conciliation have been elected."

The said bill was then ordered to be engrossed and read the third time.

Mr. Roys moved that the rules be suspended, and that said bill be read the third time now;

Which was agreed to.

The said bill was then read the third time, passed, and the title thereof agreed to.

And the question being on ordering said bill No. 181, (A.) to be engrossed and read the third time,

Mr. Bowron moved to amend the first section of said bill by striking out the word "shall," and inserting the word "may" in lieu thereof;

Which was agreed to.

Mr. Leland moved that the further consideration of said bill be indefinitely postponed.

And the question having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Barber, Bowron, Chase, Clark, Cross, Hazard, Hill, Solon Johnson, Kuehn, Kimball, King, Leland, Lown, Martin, Nute, Page, Phelps, Pierce, Pope, Warren, Wells, Young, and Hobart, (speaker.)—23.

Those who voted in the negative, were

Messrs. Bird, Burns, Colwell, Crawford, Daugherty, Fagan, Flynn, Gillilan, Hastings, W. H. Johnson, Juneau, Kerr, Noble, Parkinson, Pike, Pratt, Reymert, Rockwell, Roys, Thomas, Thorp, Toland, Townsend, Turck, Wasson, White, and Willard,—27.

Mr. Wells moved that said bill be laid upon the table;

Which was disagreed to.

Mr. Bowron moved further to amend said bill by inserting, "in the counties where such judges shall have been elected;

Which was disagreed to.

Mr. Leland moved to amend said bill by striking out all after the enacting clause.

And the question

Having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Barber, Bird, Bowron, Chase, Clark, Cross, Daugherty, Hazard, Hill, Kuehn, Kimball, King, Leland, Lown, Martin, Nute, Page, Phelps, Pierce, Pope, Warren, Wasson, Wells, Young, and Hobart, (speaker,)—25.

Those who voted in the negative, were.

Messrs. Burns, Colwell, Colley, Crawford, Fagan, Hastings, W. H. Johnson, Kerr, Noble, Parkinson, Pike, Pratt, Reymert, Rockwell, Roys, Thomas, Thorp, Toland, Townsend, Turck, White, and Willard,—23.

Mr. Kerr, from the committee on enrolled bills, submitted the following report, to wit;

The committee on enrolled bills, report that they have examined

No. 131, (A.) A bill to organize the town of La Prairie in the county of Rock;

No. 150, (A.) An act to authorize the trustees of school district No. five, in the town of Turtle, Rock county, to levy a tax to build a school house;

No. 204, (A.) A bill to vacate a part of Johnson street in the village of Port Washington;

No. 161, (A.) A bill for the relief of persons confined in jail on civil process; and

No. 91, (S.) A bill relating to the sale of spiritous liquors;

And find them correctly enrolled.

The said bills were thereupon signed by the speaker and transmitted to the senate.

On motion of Mr. Bowron,

No. 104, (S.) A bill to appropriate the several sums therein named,

Was taken from the general file and referred to the committee on claims.

On motion of Mr. Crawford,

No. 137, (S.) Of the relief and support of the poor,

Was taken from the general file and referred to a select committee consisting of Messrs. Crawford, Reymert, Lown, Martin, and Pratt.

On motion of Mr. Wells,

No. 222, (A.) A bill on general principles concerning husband and wife;

Was referred to the same committee.

Mr. Martin moved that

No. 219, (A.) A bill concerning public shows and exhibitions,

Be referred to a select committee of five;

Which was agreed to.

The speaker appointed Messrs. Martin, Clark, Colwell, Pike and Parkinson as said committee.

On motion of Mr. King,

No. 218, (A.) A bill concerning timber and lumber floating upon adjoining waters and carried upon adjoining lands,

Was referred to the same committee.

No. 223, (A.) A bill concerning the money of account,

Was taken from the general file, and

On motion of Mr. Wells,

The rules were suspended, and the said bill passed and the title thereof agreed to.

On motion of Mr. Daugherty,

The assembly resolved itself into committee of the whole for the consideration of the general file of bills.

Mr Daugherty in the chair.

And after some time spent therein the committee rose and by their chairman reported

No. 221, (A.) A bill concerning Hawkers and Pedlers; and

No. 160, (A.) A bill to prevent forcible entries and detainers,

With amendments. And

No. 134, (S.) A bill relative to informations, writs of mandamus and prohibition;

No. 135, (S.) An act relating to private nuisances and general provisions relating to actions concerning real estate;

No. 139, (S.) Of the incorporation of companies to construct plank and turnpike roads,

No, 138, (S.) A bill concerning navigable rivers ·

No. 175, (A.) An act for revising and consolidating the general statutes of the state of Wisconsin;

No. 177, (A.) A bill for the foreclosure of Mortgages by advertisement;

No. 220, (A.) A bill concerning the incorporation of villages,

Without amendments.

On motion of Mr. Wells,

The rules were suspended, and the said bills No. 34, 35, 38, and 39, (S.) were severally read the third time, passed, and the titles thereof agreed to.

And the rules having first been suspended for that purpose,

The said bill No. 175, (A.) was read the third time, passed, and the title thereof agreed to.

And the question being on ordering said bill No. 177, (A.) to be engrossed and read the third time,

Mr. Roys moved to amend section one, by striking out the words "containing therein a power of sale;"

Which was disagreed to.

And the rule having first been suspended for that purpose,

The said bill was read the third time, passed, and the title thereof agreed to.

And the question being on ordering said bill No. 220, (A.) to be engrossed and read the third time,

Mr. Bowron moved that the same be referred to the committee on incorporations;

Which was agreed to.

On motion of Mr. Pope,

No. 182, (A.) A bill concerning the courts held by justices of the peace,

Was taken from the table and referred to a select committee of seven.

The speaker appointed Messrs. Pope, Thorp, Young, Nute, Pierce, Pike, and Bird as said committee.

The amendments of the committee of the whole to

No. 160, (A.) A bill to prevent forcible entries and unlawful detainers,

Was concurred in.

And the rules having first been suspended for that purpose,

The said bill was then read the third time, passed, and the title thereof agreed to.

And the question being on concurring in the amendment of the committee of the whole to

No. 221, (A.) A bill concerning Hawkers and Pedlers;

Which was to strike out the enacting clause,

Having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Bird, Chase, Colley, Clark, Cross, Daugherty, Flynn, Hill, Keuhn, Kimball, King, Lown, Martin, Noble, *Page*, Phelps, Reymert, Roys, Townsend, Wells, and Hobart, (speaker,)—21.

Those who voted in the negative, were

Messrs. Bowron, Burns, Colwell, Crawford, Fagan, Gillilan, Hastings, Hazard, Solon Johnson, Kerr, Leland, Nute, Parkinson, Pike, Pope, Pratt, Rockwell, Thomas, Thorp, Toland, Warren, Willard, and Young,—23.

Mr. Toland moved to amend section three of said bill, by striking out the words "ten, twenty-five and fifty," and insert in lieu thereof the words "five, ten, and twenty-five,"

Which was agreed to.

Mr. White moved that the further consideration of said bill be indefinitely postponed;

Which was disagreed to.

Mr. Noble moved that said bill be referred to the committee on compilation;

Which was disagreed to.

Mr. Noble moved that the bill be referred to the judiciary committee;

Which was disagreed to.

Mr Hill moved that the bill be referred to the committee on charitable and religious institutions;

Which was disagreed to.

On motion of Mr. Crawford,

The assembly adjourned.

MONDAY, March 26th, 1849.

Prayer by the Rev. Mr. Read.

Mr. White introduced the following resolutions, to wit:

Resolved, That the assembly will excuse no more members from attendence on its daily sittings during the remainder of the session unless such absence is absolutely necessary.

Resolved, That the assembly will hold evening sessions during the present week, commencing at 7 1-2 o'clock.

Mr. White moved that the vote on said resolutions be taken separately.

The question being on the adoption of the first resolution,

Having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were,

Messrs. Alden, Barber, Bowron, Chase, Colwell, Colley, Clark, Crandall, Crawford, Daugherty, Hastings, Hazard, Solon Johnson, Kerr, King, Lown, Martin, Page, Parkinson, Phelps, Pierce, Pike, Pope, Pratt, Reymert, Rockwell, Roys, Sugden, Thomas, Thorp, Toland, Turck, Warren, Wasson, Wells, White, Young, and Hobart, (speaker,)—38.

Those who voted in the negative, were

Messrs. Bird, Cross, Hill, W. H. Johnson, Juneau, Kuehn, Kimball, Meade, Noble, Nute, Townsend, and Willard,—12.

The question being on the adoption of the second resolution,

Mr. Toland moved to amend as follows:

Amend by striking out all after the world "resolved" and insert "That the assemely meet at 8 o'clock in the morning during the remainder of the session;

Which was disagreed to.

The question then recurred on the adoption of the second resolution;

And having been put,

It was decided in the affirative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Bird, Bowron, Colwell, Colley, Crandall, Crawford, Daugherty, Hastings, Hazard, Juneau, Kerr, King, Martin, Meade, Noble, Nute, Page, Parkinson, Phelps, Pike, Pope, Sugden, Thorp, Toland, Warren, Wasson, Wells, White, Willard, and Hobart, (speaker,)—30.

Those who voted in the negative, were

Messrs. Alden, Chase, Clark, Cross, Hill, W. H. Johnson, Solon Johnson, Keuhn, Kimball, Lown, Pierce, Pratt, Reymert, Rockwell, Roys, Thomas, Townsend, and Young—18.

Messrs. Burns, Gillilan, and Fagan were excused from furattendence.

Mr. Leland was excused for the day.

The speaker laid before the assembly a communication from his excellency the governor, as follows:

EXECUTIVE DEPARTMENT,
March 23d, 1849.

To the Assembly:

I did on yesterday, approve, sign and deposite in the secretary of state's office acts of the following titles, to wit:

An act to organize the town of Grand Chute in Brown county;

An act to authorize the laying out of a certain road in the town of Madison;

An act submitting the question of the extension of the right of suffrage to a vote of the people;

An act declaring a certian road in the town of Rosendale in Fond du Lac county, to be a lawful highway;

An act relative to seals;

An act to alter the boundaries of certain towns in the county of Marquette

An act to divide the town of Brighton in the county of Winnebago;

NELSON DEWEY.

A message from the senate by their chief clerk:

MR. SPEAKER:

I am directed to inform you that the senate has passed the following joint resolution:

No. 14, (S.) Resolution relative to the military reserve at Fort Winnebago;

In which the concurrence of the assembly requested.

And that the senate has passed the following:

No. 140, (S.) A bill concerning bills of exchange and promissory notes;

No. 142, (S.) A bill concerning weights and measures;

No. 141, (S.) A bill concerning grand and pettit jurors;

No. 143, (S.) A bill to provide for the payment of certain persons therein named;

No. 144, (S.) A bill to appropriate to the county of St. Croix the sum therein named;

No. 145, (S.) Of guardians and wards;

No. 146, (S,) Of masters and apprentices;

No. 147, (S.) Of the preservation of the public health;

No. 149, (S.) Of libraries and lyceums;

No. 150, (S.) Of dogs;

No. 151, (S.) Of the racing of animals;

In which the concurrence of the assembly is requested;

And has concurred in the passage of

No. 197, (A.) A bill concerning the crime of seduction;

No. 198, (A.) A bill concerning divorces;

No. 199, (A.) A bill concerning marriages; and

No. 203, (A.) A bill to amend an act to organize the county of Manitowoc for judicial purposes;

Without amendment.

And has concurred in the passage of

No. 62, (A.) A bill to lay out and establish certain roads therein named; and

No. 93, (A.) A bill to authorize the electors of LaFayette county to vote on the removal of the county seat;

With amendments to each.

In which the concurrence of the assembly is requested.

Mr. Wells from the select committee to whom had been referred the resolutions introduced by Mr. Leland on Saturday, in relation to the course of the Hon. Isaac P. Walker, senator in congress from Wisconsin, reported a substitute for the said resolutions, which was read as follows:

Resolved, by the senate and assembly of the state of Wisconsin, That the course of the Hon. I. P. Walker, one of the senators of this state, in the congress of the United States, in presenting and voting for an amenement to the general appropriation bill, providing for a government in California and New

Mexico, west of the Rio Grande, which did not contain a provision forever prohibiting the introduction of slavery, or involuntary servitude in said territories, has violated his oft-repeated as well as his solemn written pledge, given before his election, on that subject, and outraged the feelings and misrepresented those who elected him to that station, and has openly violated the instructions contained in the resolutions passed by this body on the subject of slavery, at its present session; therefore,

Resolved, That Isaac P. Walker be, and he is hereby instructed immediately to resign his seat in the senate of the United States.

Resolved, That the Hon. Henry Dodge, senator in congress from Wisconsin, in voting against the proposition of Mr. Walker as he did on the 20th February last, has represented the views and wishes of his constituents on that subject, for which we express to him our most cordial approval of his course.

Resolved, That the governor is requested to forward a copy of the foregoing resolutions to each of our senators in congress.

And the question on the adoption of said substitute,

Having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Alden, Barber, Bird, Chase, Colwell, Colley, Clark, Crandall, Crawford, Daugherty, Hastings, Hazard, Kerr, Kimball, King, Lown, Martin, Meade, Noble, Nute, Page, Phelps, Pratt, Reymert, Rockwell, Strong, Sugden, Thomas, Thorp, Toland, Townsend, Warren, Wells, White, Willard, Young and Hobart, (speaker,)—37.

Those who voted in the negative, were

Messrs. Bowron, Cross, Hill, W. H. Johnson, Solon Johnson, Juneau, Kuehn, Parkinson, Pierce, Pike, Pope, Roys, and Wasson—13.

Mr. Nute moved that the substitute for said resolutions be laid upon the table;

Which was disagreed to.

Mr. Thomas moved that the further consideration of said resolution be postponed until Thursday evening next.

Mr. Townsend moved to amend the motion by inserting "Tuesday;"

Which was accepted.

The question on the adoption of said motion to postpone,

Having been put,

It was decided in the negative.

Mr. Noble moved to amend the last resolution by adding "and to the president of the senate."

Which was agreed to.

Mr. Hastings moved to amend by striking out commencing with the words "and outraged" to the word "has openly;"

Which was disagreed to.

The question being on the adoption of the resolutions,

Mr. Alden moved that the further consideration thereof be postponed until Wednesday next:

Which was disagreed to.

A division of the question being called for,

The speaker decided the question to be divisible.

And the question on the adoption of the first resolution,

Having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Alden, Barber, Bird, Chase, Colwell, Colley, Clark, Crandall, Crawford, Daugherty, Hastings, Hazard, Juneau, Kerr, Kimball, King, Lown, Martin, Meade. Noble. Page, Parkinson, Phelps, Pike, Pope,Pratt, Reymert,Rockwell, Roys, Strong, Sugden, Thomas, Thorp, Toland, Townsend, Warren, Wasson, Wells, White, Willard, Young, and Hobart, (speaker,)—42.

Those who voted in the negative were

Messrs. Bowron, Cross, Hill, W. H. Johnson, Solon Johnson, Keuhn,Nute, Pierce, and Turck,—9.

The question being on the adoption of the second resolution-

Mr. Wasson moved to amend said resolution by adding thereto as follows:

"Unless hereafter he can vote in accordance with the instructions given him by this legislature."

Which was disagreed to.

The question then recurring on the adoption of the said second resolution, and

Having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Alden, Barber, Bird, Chase, Colley, Colwell, Clark, Crandall, Crawford, Daugherty, Hastings, Hazard, Juneau, Kerr, Kimball, King, Lown, Martin, Meade, Noble, Page, Parkinson, Phelps, Pike, Pope, Pratt, Reymert, Rockwell, Roys, Strong, Sugden, Thomas, Thorp, Toland, Townsend, Warren, Wasson, Wells, White, Willard, Young, and Hobart, (speaker)—42.

Those who voted in the negative, were

Messrs. Bowron, Cross, Hill, W. H. Johnson, Solon Johnson, Keuhn, Nute, Pierce, and Turck,—9.

The question being on the adoption of the third resolution,

Having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Alden, Barber, Bird, Chase, Colwell, Colley, Clark, Crandall, Crawford, Cross, Daugherty, Hastings, Hazard, Hill, W. H. Johnson, Solon Johnson, Juneau, Kerr, Kuehn, Kimball, King, Lown, Martin, Meade, Noble, Nute, Page, Parkinson, Phelps, Pike, Pope, Pratt, Reymert, Rockwell, Roys, Strong, Sugden, Thomas, Thorp, Toland, Townsend, Warren, Wasson, Wells, White, Willard, Young, and Hobart, (speaker)—48.

Those who voted in the negative, were

Messrs. Bowron, Pierce, and Turck,—3.

The question then being on the adoption of the fourth resolution,

Mr. Thomas moved to amend said resolution by adding thereto "and also to the president of the United States;"

Mr. Alden moved to amend the amendment by adding, "also, a copy to each of our representatives in the house of representatives at Washington;

And the question thereon,

Having been put,

It was decided in the negative.

Mr. Pierce moved to amend by adding "And also one to Dandy Jim of Carolina."

Which was disagreed to,

The question then recurring on the adoption of the amendment offered by Mr. Thomas;

And having been put,

It was decided in the affirmative.

Mr. Cross moved further to amend the resolution by adding "and to each of the opposing candidates of the Hon. Isaac P. Walker at the late political caucus in which he received his nomination;

And the question on the adoption thereof,

Having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Bowron, Chase, Cross, W. H. Johnson, Solon Johnson, Keuhn, Pierce, Thomas, Turck, Wasson, and Hobart, (speaker,)—11.

Those who voted in the negative were

Messrs. Alden, Barber, Bird, Colwell, Colley, Clark, Crandall, Crawford, Daugherty, Hastings, Hazard, Kerr, Kimball, King, Lown, Martin, Meade, Noble, Nute, Page, Parkinson, Phelps, Pike, Pope, Pratt, Reymert, Rockwell, Roys, Strong, Sugden, Thorp, Toland, Warren, Wells, White, Willard, and Young—37.

And the question recurring on the adoption of the fourth resolution as amended,

Having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Alden, Barber, Bird, Chase, Colwell, Colley, Clark, Crandall, Crawford, Daugherty, Hastings, Hazard, Kerr, Kimball, King, Lown, Martin, Meade, Noble, Page, Parkinson, Phelps, Pike, Pope, Pratt, Reymert, Rockwell, Roys, Strong, Sugden, Thomas, Thorp, Toland, Warren, Wasson, Wells, White, Willard, Young, and Hobart, (speaker,)—40.

Those who voted in the negative, were

Messrs. Bowron, Cross, Hill, W. H. Johnson. Solon Johnson, Kuehn, Nute, Pierce, and Turck—9.

Mr. Martin, from the select committee, to whom the same had been referred, reported back to the assembly

No. 218, (A.) A bill concerning timber and lumber floating upon adjoining water and carried upon adjoining lands; and

No. 219, (A.) A bill concerning public shows and exhibitions;

Without amendment, recommending the passage of the said bills.

Mr. Cross, from the committee on compilation of the laws, reported

No. 226, (A,) A bill concering costs and fees;

No, 227, (A,) A bill for the distribution of the arms of the state; and

No. 228, (A,) A bill to defray the contingent expenses of the Executive office;

Which were severally read the first and second times.

Mr. Bird presented

Sundry accounts of individuals against the state;

Which were referred to the committee on claims.

Mr. Pope moved that the members of the committee to whom had been referred bill No. 182, (A.) be excused from attendence on the session of the assembly this evening;

Which was agreed to.

A message from the senate, by their chief clerk:

Mr. Speaker:

I am directed to inform you that the senate has passed the following resolution:

Resolved, by the senate and assembly, That the act on the assessment and collection of taxes be signed by the presiding officers of the two houses, and that the enrolling committee be directed to present the same to the governor for his approval; and

Resolved, by the senate and assemely, that the joint committee of one from each house appointed to examine the enrolled bills reported by the revisors and compiling committee, and to make corrections, &c., be and they are hereby authorized to o strike out the words "Judges of Probate," in section 3, of the chapter "Of elections other than for town officers," and all of section 72 of "An act relating to town and county officers" and to cause the page upon which the last mentioned section stands, to be enrolled.

In which the concurrence of the assembly is requested.

And that the senate has non-concurred in the

Resolution relative to the "North Western Educator," published by J. L. Enos.

And has passed

No. 200, (A.) A bill to authorize the construction of a bridge across Nepasink lake,

Without amendment.

On motion of Mr. Hill,

The assembly adjourned until half past two, P. M.

HALF PAST TWO O'CLOCK, P. M.

The speakar laid before the assembly the report of the state treasurer made in pursuance of the resolutions of the assembly, which,

On motion of Mr. Clark,

Was laid on the table and ordered to be printed.

Mr. Clark, by leave, introduced

No. 229, (A.) A bill to authorize the trustees of Plum Grove school district in the town of Cassville, Grant county. to levy a tax to build a school house;

Which was read the first and second times.

Mr. Clark moved that the rules be suspended and said bill be read the third time and passed now;

Which was agreed to.

The said bill was then read the third time, passed, and the title thereof agreed to.

The amendments of the committee on printing to

No. 188, (A.) A bill in relation to printing,

Were severally concurred in.

The said bill was then read the third time, passed, and the title thereof agreed to.

No. 218, (A.) A bill concerning timber and lumber floating upon adjoining waters and carried upon adjoining lands;

No. 219, (A.) A bill concerning public shows and exhibitions;

No. 227, (A.) A bill for the distribution of the arms of the state,

Were severally read the third time, passed, and the titles thereof agreed to.

Mr. Clark moved that bill

No. 226, (A.) A bill concerning costs and fees,

Be referred to a select committee of three;

Which was agreed to.

The speaker appointed Messrs. Clark, Colwell and Rickerson as said committee.

Mr. Barber, by leave, introduced

No. 230, (A.) A bill making an appropriation for a contingent fund;

Which was read the first and second times, and the rules being suspended,

Was read the third time.

The question, "shall the bill pass?"

Having been put, (three fifths of the assembly being present,)

Mr. Colley moved to amend by striking out all after the enacting clause;

Which was agreed to.

Messages from the senate were taken up.

No. 140, (S.) A bill concerning bills of exchange and promissory notes;

No. 141, (S.) A bill concerning grand and pettit jurors;

No. 142, (S.) A bill concerning weights and measures;

No. 143, (S.) A bill to provide for the payment of certain persons therein named;

No. 144, (S.) A bill to appropriate to the county of St. Croix the sum therein named;

No. 145, (S.) Of guardians and wards;

No. 146, (S,) Of masters and apprentices;

No. 147, (S.) Of the preservation of the public health;

No. 149, (S.) Of libraries and lyceums;

No. 150, (S.) Of dogs; and

No. 151, (S.) Of the racing of animals,

Were severally read the first and second times.

And the rules having first been suspended, bills No. 142, 146, 147 and 149, (S.)

Were then severally read the third time, passed, and the titles thereof agreed to.

The amendments of the senate to

No. 62, (A.) A bill to lay out and establish certain roads therein named;

Were concurred in.

The resolution of the senate in relation to the chapter on the assessment and collection of taxes; and

The resolution of senate in relation to the chapter on elections, &c.,

Were severally concurred in.

Mr. Parkinson moved that the consideration of bill

No. 93, (A.) A bill to authorize the electors of LaFayette county to vote on the removal of the county seat;

Be postponed until to-morrow;

Which was agreed to.

No. 228, (A.) A bill to defray the contingent expenses of the executive office,

Was read the third time.

And the question, "shall the bill pass?"

Having been put, (three-fifths of the assembly being present,)

It was decided in the affirmative.

Those who voted in the affirmative were,

Messrs. Alden, Barber, Bowron, Chase, Colwell, Colley, Clark, Cross, Hastings, Hill, W. H. Johnson, Kuehn, Kimball, Lown, Meade, Noble, Parkinson, Phelps, Pratt, Reymert, Rockwell, Strong, Thomas, Toland, Warren, Wells, White, Willard and Hobart, (speaker,)—30.

Those who voted in the negative, were

Messrs. Crandall, Daugherty, Flynn, Hazard, Juneau, Kerr, King, Page, Sugden, and Wasson,—10.

The title of said bill was then agreed to.

Mr. Clark, from the select committee, to whom the same had been referred, reported

No. 226, (A.) A bill concerning costs and fees,

Without amendment, recommending the passage thereof.

The rules having first been suspended,

The said bill was read the third time, passed, and title thereof agreed to.

The said bill No. 144, (S.) A bill to appropriate to the county of St. Croix the sum therein named;

Was, the rules first having been suspended, read the third time.

And the question "shall the bill pass!"

Having been put, (three-fifths of the members being present,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Alden, Barber, Bowron, Chase, Colwell, Colley Clark, Crandall, Crawford, Cross, Daugherty, Flynn, Hastings, Hazard, Hill W. H. Johnson, Juneau, Kerr, Kuehn, Kimball, King, Meade, Noble, Page, Parkinson, Phelps, Pratt, Reymert, Strong, Thomas, Toland, Turck, Warren, Wasson, Wells, White, Willard, and Hobart, (speaker.)—38.

Those who voted in the negative, were

Messrs. Lown, Rockwell, and Sugden,—3.

Mr. Kerr, from the committee on enrolled bills, submitted the following report:

The committee on enrolled bills report that they have this day presented to his excellency, the governor, for his approval

An act to incorporate the Walworth county academy;

An act additional to an act to amend an act to authorize the further sale of canal lands and for other purposes. and the act amendatory thereto, approved March 11, 1848;

An act supplementary to an act to incorporate the Milwaukee mutual fire insurance company, approved December 27th, 1837, and an act to amend an act to incorporate the Milwaukee mutual fire insurance company, approved February 4th, 1847;

An act to vacate a part of Johnson street, in the village of Port Washington;

An act to organize the town of La Prairie in the county of Rock;

An act to authorize the trustees of school district No. five, in the town of Turtle, Rock county, to levy a tax to build a school house.

And that they have examined

No. 192, (A.) A bill to vacate part of the plat of the city of Superior, in Dane couny;

No. 156, (A.) A bill to authorize the aldermen of the first ward of the city of Milwaukee to levy a special tax to raise money for the purpose of erecting a market house in said ward;

No. 202, (A.) A bill to provide for laying out a state road;

No. 187, (A.) A bill relating to the admission of attorneys at law; and

No. 166. (A.) A bill to authorize the issuing patents for canal lands sold and not patented, and to provide for payment and discharge of mortgages thereon;

No. 140, (A.) A bill to authorize the construction of a bridge across Fox river;

No. 141, (S.) A bill to authorize the construction of a bridge across Fox river.

And find them correctly enrolled.

The said bills were thereupon signed by the speaker and transmitted to the senate.

Mr. W. H. Johnson, from the committee on incorporations to whom had been referred

No. 220, (A.) A bill concerning the incorporation of villages,

Reported the same back to the assembly without amendment recommending the passage thereof.

And the rules having first been suspended for that purpose,

The said bill was passed, and the title thereof agreed to.

And the rules requiring bills to be considered in committee of the whole having been suspended,

And the question being on ordering

No. 150, (S.) Of dogs;

To be read the third time,

Mr. Thomas moved to amend said bill by striking out the word "dog," wherever it occurs;

Which was disagreed to.

Mr. Thomas moved to amend said bill by striking out all after the enacting clause;

Which was agreed to.

And the question being on ordering

No. 143, (S.) A bill to provide for the payment of certain persons therein named,

To be read the third time,

Mr. Bowron moved that said bill be referred to a select committee of three;

Which was agreed to.

The speaker appointed Messrs. Bowron, Page and Willard as said committee.

And the question being on ordering

No. 151, (S.) Of the racing of animals,

To be read the third time,

Mr. Clark moved that said bill be amended by striking out the enacting clause.

And the question having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Alden, Bowron, Chase, Clark, Daugherty, Flynn, Hill, W. H. Johnson, Kuehn, Kimball, Parkinson, Rickerson, and Thomas,—13.

Those who voted in the negative, were

Messrs. Barber, Colwell, Colley, Crandall, Crawford, Hastings, Hazard, Kerr, King, Lown, Meade, Noble, Page, Pratt, Reymert, Rockwell, Strong, Sugden, Toland, Warren, Wasson, Wells, White, Willard, and Hobart, (speaker.)—25.

Mr. Thomas moved to amend said bill by inserting after the word "horses" the words, "oxen, cows and sheep."

And the question having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Alden, Bowron, Chase, Clark, Flynn, Hill, W. H. Johnson, Juneau, Keuhn, Kimball, Phelps, Rickerson, Thomas, and Turck,—14.

Those who voted in the negative, were

Messrs. Barber, Colwell, Colley, Crandall, Crawford, Daugherty, Hastings, Hazard, Kerr, King, Lown, Meade, Noble, Page, Parkinson, Pratt, Reymert, Rockwell, Strong, Sugden, Toland, Warren, Wasson, Wells, White, Willard, and Hobart, (speaker,)—27.

Mr. Rickerson moved that said bill be referred to a select committee of three;

Which was disagreed to.

Mr. Thomas moved that said bill be indefinitely postponed;

Which was disagreed to.

The rules having first been suspended for that purpose,

And the question "shall the bill pass?"

Having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Barber, Colwell, Colley, Crandall, Crawford, Cross, Hastings, Hazard, Kerr, King, Lown, Noble, Page, Pratt, Reymert, Rockwell, Strong, Sugden, Toland, Warren, Wasson, Wells, Willard, and Hobart, (speaker.)—24.

Those who voted in the negative were

Messrs. Alden, Bowron, Chase, Clark, Daugherty, Flynn, Hill, W. H. Johnson, Juneau, Kuehn, Kimball, Meade, Parkinson, Phelps, Rickerson, Thomas, Turck, and White,—18.

On motion of Mr. Daugherty,

No 145, (S.) Of guardians and wards,

Was referred to a select committee, consisting of Messrs. Daugherty, Lown and Toland.

On motion of Mr. Reymert,

No. 141, (S.) A bill concerning grand and petit jurors,

Was referred to a select committee consisting of Messrs. Reymert, Rockwell and Chase.

Mr. Cross, from the judiciary committee to whom had been referred the joint resolution relative to instructing the joint select committee on enrolled bills, reported, that the committee recommend the filling the blank as follows: "fourteen years nor less than seven."

Which report was adopted.

Mr. Cross from the committee on compilation, reported

No. 231, (A.) A bill supplemental to an act to establish the university of Wisconsin;

Which was read the first and second times.

And the rules having first been suspended for that purpose,

The said bill was then read the third time, passed, and the title thereof agreed to.

Mr. Crawford, from the select committee to whom was referred

No. 137, (S.) Of the relief and support of the poor;

Submitted the following report, to wit:

The select committee to whom was referred bill No. 137, (S.) would propose the following amendments and recommend its passage.

Amend section six by striking out of the fourth line "of probate," and insert in the fifth line after the word "county" the word "court."

Amend section fifteen, tenth line, by striking out "circuit," and insert "county," and the same in line first, section sixteen, also in section seventeen, seventh line.

And amend section nineteen, by striking out all after the word "shall" in the ninth line, and insert as follows, "be executed in like manner and shall be of the same tenor and effect as indentures executed pursuant to the provisions of the chapter entitled 'of masters and apprentices,' and every minor so bound, and the supervisors binding him, and his master shall be subject to all the provisions of said chapter."

Section thirty-five, line sixth; fill the blank in said section.

The said report and amendments therein recommended, were adopted.

Mr. Reymert moved to amend the said bill by striking out the words "brothers and sisters" where they occur in said bill;

Which was agreed to.

And the question being on filling the blank in the thirty-fifth section of said bill,

Mr. Crawford moved to fill said blank with the word "three;"

Which was disagreed to.

Mr. Colley moved to fill said blank with the word "two;"

Which was agreed to.

The said bill was then passed and the title thereof agreed to.

Mr. Reymert, from the select committee to whom had been referred

No. 141, (S) A bill concerning grand and petit jurors,

Reported the same back to the assembly without amendment, recommending its passage.

The rules first having been suspeneed, the said bill was read the third time, passed, and the title thereof agreed to.

On motion of Mr. Clark,

The assembly adjourned.

TUESDAY, March 27th, 1849.

Prayer by the Rev. Mr. Lord.

The question pending being on the passage of bill

No. 143, (S.) A bill to provide for the payment of certain persons therein named,

Having been put, (three fifths of the members being present)

It was decided in the affirmative.

Those who voted in the affirmative, were

Messrs. Barber, Bird, Bowron, Chase; Colwell, Colley, Cotton, Clark, Crandall, Crawford, Cross, Daugherty, Delaney, Flynn, Hastings, Hazard, Hill, Solon Johnson, Juneau, Kerr, Kuehn, Kimball, King, Lown, Noble, Nute, Page, Parkinson, Pierce, Pike, Pope, Pratt, Reymert, Rickerson, Strong, Sugden, Thomas, Thorp, Toland, Townsend, Turck, Warren, Wasson, Young, and Hobart, (speaker,)—45.

None voted in the negative.

The title of said bill was then agreed to,

Mr. Strong presented the account of J. F. Jones against the state for newspapers furnished the legislature;

Which was referred to the committee on claims.

Mr. Rockwell, by leave, introduced

No. 232, (A.) A bill to authorize school district No. 7, in the town of Ottawa, Waukesha county, to levy a tax to build a school house;

Which was read the first and second times, and the rules having first been suspended, read the third time, passed, and the title thereof agreed to.

Mr. Pope, from the select committee to whom had been referred

No. 182, (A.) A bill concerning the courts held by justices of the peace,

Reported said bill back to the assembly with sundry amendments.

The amendments of the committee to said bill,

Were severally concurred in.

The question being on suspending the rules, and putting said bill upon its passage,

Mr. Delaney moved to amend the bill by striking out all after the word "statement" in line 5, sec, 103, to the word "either," in line 6;

Which was disagreed to.

Mr. Delaney moved further to amend by inserting after the word "creditors," in section 103, the following: "the defendant may traverse the statements made in the affidavit, and if found to be untrue the attachment shall be dissolved;"

Which was disagreed to.

Mr. Thorp moved to amend section 16, of said bill, by striking out in the second line of said section the word "he," and insert the words "the plaintiff;"

Which was agreed to.

Mr. Pope moved to amend the section No. 78, of said bill, by striking out the words "and file the same among the papers in the case;"

Which was disagreed to.

Mr. Delaney moved to amend the bill by striking out section No. 16;

Which was disagreed to.

Mr. Barber moved to amend section 103, by striking out the word "stating" and insert proving to the satisfaction of the justice;" and strike out in the 5th line the words "containing a statement;"

Which was disagreed to.

The said bill No. 182, (A.) was then read the third time, passed, and the title thereof agreed to.

The question being on concurring in the amendments of the senate to,

No. 93, (A.) A bill to authorize the electors of La Fayette county to vote on the removal of the county seat,

And having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Alden, Bowron, Cotton, Clark, Flynn, Hill, W. H. Johnson, Solon Johnson, Nute, Reymert, Rockwell, Sugden, Thomas, Toland, Townsend, Turck, and Hobart, (speaker,) —17.

Those who voted in the negative, were

Messrs. Barber, Bird, Chase, Colwell, Colley, Crandall, Crawford, Daugherty, Delaney, Hastings, Hazard, Juneau, Kerr, Kuehn, Kimball, King, Lown, Meade, Noble, Page, Parkinson, Pierce, Pike, Pope, Pratt, Rickerson, Strong, Thorp, Warren, Wasson, Willard and Young,—31.

A message from the senate by their chief clerk :

Mr. SPEAKER :

I am directed to inform you that the senate has concurred in the passage of

No. 205, (A.) A bill authorizing the maintenance of actions by persons holding claims on United States lands ;

No. 186, (A.) A bill to prevent the sale of intoxicating liquors to Indians ;

No. 206, (A.) A bill concerning Electric Telegraph lines ;

No. 196, (A.) A bill to enable the town of Janesvil [illegible] the county of Rock, to apply the moneys raised for licens [illegible] nted for the sale of ardent spirits in said town for the support of the poor ;

No. 207, (A.) A bill concerning religious societies ;

No. 211, (A.) A bill to authorize the appointment of commissioners to take the acknowledgement of deeds and other contracts, and depositions in other states ;

No. 212, (A.) A bill to punish trespass an lands ;

No. 224, (A.) A bill to legalize certain roads in Winnebago, county ;

Without amendments.

And has concurred in the amendment of assembly to

No. 137, (S) Of the relief and support of the poor.

And has non-concurred in the amendment of assembly to

No. 150, (S.) Of dogs.

And has negatived

No. 217, (A.) A bill to appropriate the several sums therein named ; and

No. 68, (A.) A bill repealing all laws providing for the licensing of the sale of spirituous liquors.

And has concurred in the adoption of the following resolution :

Resolved, by the assembly (the senate concurring,) That the joint select committee on enrolled bills, be, and are hereby directed and empowered to fill the blank in section two, in the chapter of homicide, with years. The assembly have instructed the committee to fill said blank with the words "fourteen years nor less than seven."

Mr. Daugherty, from the select committee, to whom the same had been referred, reported bill

No. 145, (S.) Of guardians and wards,

Back to the assembly without amendment, recommending its passage.

The said bill was then read the third time, passed, and the title thereof agreed to.

Mr. Daugherty, from the committee on engrossed bills, reported as correctly engrossed

No. 101, (A.) A bill in relation to the school and university lands, the sale and superintendence thereof, and the powers and duties of the commissioners of said lands.

The question being on the passage of said bill,

Mr. Clark moved that said bill be referred to a select committee of three;

Which was agreed to.

The speaker appointed Messrs. Clark, Daugherty and Delaney as said committee.

Messages from the senate were taken up.

Mr. Clark moved that the further consideration of

No. 150, (S.) Of dogs,

Be indefinitely postponed;

Which was agreed to.

Mr. Crawford, from the select committee, to whom had been referred bill

No. 222, (A.) A bill on general provisions concerning husband and wife;

Reported the said bill back with sundry amendments.

On motion of Mr. Daugherty,

The assembly resolved itself into committee of the whole for the consideration of said bill No. 222, (A.)

Mr. Wasson in the chair.

And after some time spent therein the committee rose, and by their chairman reported said bill back to the assembly, With an amendment.

On motion of Mr. Clark,

The assembly adjourned until half past two, P. M.

HALF PAST TWO O'CLOCK, P. M.

The speaker appointed Mr. Cotton as a member of the select committee to whom was referred bill No. to fill the vacancy occasioned by the absence of Mr. Burns.

Mr. Reymert presented an account against the state for newspapers;

Which was referred to the committee on printing.

Mr. Nute, from the select committee to to whom the same had been referred, reported back to the assembly

No. 185, (A.) A bill in relation to mills and mill-dams;

Without amendment, recommending the passage thereof.

Mr. Kerr, from the committee on enrolled bills, reported that they have this day presented to his excellency for his approval

An act to authorize the construction of a bridge across Fox river;

An act relating to the admission of attorneys at law;

An act to authorize the aldermen of the first ward of the city of Milwaukee to levy a special tax to raise money for the purpose of erecting a market house in said ward;

An act to authorize the construction of a bridge across Fox river;

An act to provide for laying out a state road;

An act to authorize the issuing patents for canal lands sold and not patented, and to provide for payment and discharge of mortgages thereon;

An act to vacate part of the plat of the city of Superior, in Dane county.

Mr. Rickerson, by leave, introduced

No. 233, (A.) A bill to incorporate the Jefferson county normal school;

Which was read the first and second times, and the rules being first suspended,

Was read the third time, passed, and the title thereof agreed to.

Mr. Bird presented the account of D. Holt, Jr., for stationery; and

Account of J. W. Seaton for publishing proposals;

Which were severally referred to the committee on claims.

The pending question being on concurring in the amendment of the committee of the whole to said bill

No. 222, (A.) A bill in relation to general provisions concerning husband and wife,

Which was to strike out the enacting clause.

And having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Bowron, Colley, Crandall, Crawford, Cross. Delaney, Flynn, Hazard, King, Lown, Nute, Page, Parkinson, Pierce, Pike, Pope, Rockwell, Strong, Sugden, Toland, Warren, Wasson, and Young—23.

Those who voted in the negative, were

Messrs. Alden, Barber, Bird, Chase, Colwell, Cotton, Clark, Daugherty, Hastings, Hill, W. H. Johnson, Juneau, Kerr, Kuehn, Kimball, Meade, Noble, Pratt, Reymert, Rickerson, Thomas, Thorp, Townsend, Turck, Wells, White, and Hobart, (speaker.)—27.

Mr. Chase moved that said bill and the amendments thereto, be referred to the committee on the judiciary;

Which was agreed to.

Mr. Alden moved that the said committee be instructed to report on to-morrow forenoon.

And the question on the adoption thereof,

Having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Alden, Barber, Bird, Chase, Colwell, Cotton, Clark, Daugherty, Hastings, Hill, W. H. Johnson, Juneau, Kerr, Keuhn, Kimball, Meade, Noble, Pratt, Reymert, Rickerson, Sugden, Thomas, Thorp, Townsend, Turck, White, and Hobart, (speaker)—27.

Those who voted in the negative, were

Messrs. Bowron, Colley, Crandall, Crawford, Cross, Delaney, Flynn, King, Lown, Nute, Page, Parkinson, Pierce, Pike, Pope, Rockwell, Strong, Toland, Warren, Wasson, Wells, and Young,—22.

The speaker appointed Mr. Delaney as a member of the committe on the judiciary.

Mr. Clark, from the select committee to whom had been referred bill No. 101, (A.) reported said bill back to the asembly with an amendment,

Which was concurred in.

The said bill was read the third time, passed, and the title thereof agreed to.

A message from the senate by their chief clerk:

Mr. Speaker:

I am directed to inform you that the senate has passed

No. 88, (S.) A bill to legalize the organization of school district No. 1, in the town of Summit.

In which the concurrence of the assembly requested.

And has concurred in the passage of

No. 220, (A.) A bill concerning the incorporation of villages,

Without amendment; and

No. 226, (A.) A bill concerning costs and fees,

With amendments,

In which the concurrence of the assembly is requested.

And has amended

No 139, (A.) A bill to amend an act entitled an act to incorporate the city of Milwaukee,

By striking out all after the enacting clause.

And has adopted the following resolution:

Resolved, by the senate and assembly, That there be a joint select committee of one from the senate and one from the assembly, to settle with the treasurer, with power to cancel the vouchers in his possession, first causing credit to be given to the treasurer in the secretary's office for the same, and to report their doings to the legislature.

In which the concurrence of the assembly is requested.

And has passed

No. 98, (S.) A bill to provide for the publication of certain laws therein mentioned, in German and Norwegian languages.

In which the concurrence of the assembly is requested.

Messages from the senate were taken up.

The said bill No. 88, (S.) was read the first and second times, rules suspended, read third time, passed, and title thereof agreed to.

The said bill No. 98, (S.) was read the first and second times.

And the question being on suspending the rules,

Mr. Barber moved that said bill be referred to a select committee on the compilation of laws;

Which was agreed to.

The first amendment of the senate to the said bill No. 226, (A.)

Was concurred in.

The second amendment to said bill,

Was non-concurred in.

The assembly concurred in the resolution of senate in relation to joint committee to examine treasurers vouchers.

The speaker appointed Mr. Strong as the committee on the part of the assembly under said resolution.

The speaker laid before the assembly the following communication from the governor:

EXECUTIVE DEPARTMENT,
March 27th, 1849.

To the Assembly:

I have this day, approved, signed and deposited in the office of the secretary of state, acts of the following titles, to wit:

An act relating to the admission of attorneys at law;

An act to authorize the aldermen of the first ward of the city of Milwaukee to levy a special tax to raise money for the purpose of erecting a market house in said ward;

An act to provide for laying out a state road;

An act to vacate part of the plat of the city of Superior, in Dane county; and

An act to authorize the issuing of patents for canal lands sold and not patented, and to provide for the payment and discharge of the mortgages thereon.

NELSON DEWEY.

Mr. Thomas, by leave, introduced

No. 234, (A.) A bill to authorize James Weaver and others to build a dam;

Which was read the first and second times, and the rules first having been suspended, The said bill was read the third time, passed, and the title thereof agreed to.

Mr. Strong, from the committee on compilation of the laws, to whom the same had been referred, reported back to the assembly

No. 98, (S.) A bill to provide for the publication of certain laws therein mentioned, in the Norwegian and German languages,

Without amendment, recommending that it pass.

The question being on the passage thereof,

Mr. Bowron moved to amend by adding to the 3rd section, "that the Rev. William T. Boutwell is hereby appointed a committee for the purpose of translating and publishing one thousand copies of said laws with appropriate index thereto, in the Ojibbeway language;".

Which was disagreed to.

Mr. Kerr moved to amend by adding, "and five hundred in the Welsh language;"

Which was disagreed to.

Mr. Noble moved to amend by adding "and one thousand in the French language, and one thousand in the Stockbridge language;"

Which was disagreed to.

Mr. Thomas moved to amend the bill, by adding:

Sec. —— That all printing authorized and required for the use of this state, and all laws required to be published, shall be let to the lowest bidder, any law to the contrary notwithstanding;"

Which was disagreed to.

The question then recurred on the passage of the bill,

And having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Barber, Bird, Chase, Colwell, Colley, Cotton, Clark, Cross, Daugherty, Delaney, Flynn, Solon Johnson, Juneau, Kuehn, Kimball, King, Meade, Noble, Parkinson, Pierce, Pratt, Strong, Thomas, Thorp, Toland, Turck, Warren, Wasson, White, and Hobart, (speaker,)—30.

Those who voted in the negative, were

Messrs. Bowron, Crandall, Crawford, Hazard, Kerr, Lown, Nute, Page, Pike, Pope, Rockwell, Wells, and Young,—13.

The title of said bill was then agreed to.

On motion of Mr. Clark,

The assembly adjourned.

WEDNESDAY, March 28th, 1849.

Prayer by the Rev. Mr. Lord.

No. 185, (A.) A bill relating to mills and mill dams,

Was read the third time.

And the question being on the passage thereof,

Having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Alden, Bird, Bowron, Chase, Colwell, Colley, Cross, Hastings, Hazard, Hill, W. H. Johnson, Kerr, Martin, Nute, Page, Parkinson, Phelps, Pierce, Pope, Pratt, Reymert, Rickerson, Roys, Strong, Sugden, Thomas, Thorp, Townsend, Warren, Wasson, White, and Willard,—32.

Those who voted in the negative, were

Messrs. Clark, Crandall, Daugherty, Flynn, Solon Johnson, Kelsey, Keuhn, Kimball, King, Lown, Pike, Toland, Turck, Wells, Young and Hobart, (speaker,)—16.

The title of said bill was then agreed to.

Mr. Pierce from the select committee to whom the same had been referred, reported

No. 174, (A.) A bill to provide for laying out certain roads therein named;

Back to the assembly with sundry amendments.

The amendments of the committee were concurred in,

And said bill ordered to be engrossed and read the third time.

Mr. Pierce presented the account of Levi Sterling, sheriff of Iowa county;

Which was referred to the committee on claims.

Also the petition of John Clouney and 59 others, praying for a repeal of the charter of Mineral Point village;

Referred to the committee on incorporations.

Mr. Hastings presented the following resolution, which was adopted:

Resolved, (the senate concurring,) That the joint committee on enrolled bills reported by the revisers and the committee on compilation, be authorized to call to their assistance such aid as will enable them to have the enrolled bills all examined by Saturday evening next.

Mr. Strong, by leave, introduced

No 235, (A) A bill providing for superintending the publication of the revised statutes.

Mr. Clark from the committee on roads, bridges and ferries, reported

No. 236, (A.) A bill to authorize James B. Miller to keep and maintain a ferry across the Wisconsin river.

Mr. Hobart by leave, introduced

No. 237, (A.) A bill to authorize the board of supervisors of Sheboygan county to erect county buildings;

Which said bills No 235, 236, and 237, (A.) were severally read the first and second times.

And the rules having been suspended, were severally read the third time, passed, and the titles thereof agreed to.

Mr. Cross moved that bill No. 115, (A.) be taken from the table;

Which was agreed to.

No. 115, (A.) A bill to incorporate the Free Congregational Church of the city of Milwaukee,

Was read the third time, passed and the title thereof agreed to.

Mr. Nute moved that bill

No. 6, (S.) A bill to repeal an act in relation to mills and mill dams,

Be taken from the table;

Which was agreed to.

Mr. Strong moved that the further consideration of the said bill be indefinitely postponed;

Which was agreed to.

Mr. Strong, from the majority of the committee on the judiciary to whom had been referred

No. 222, (A.) A bill on general provisions concerning husband and wife,

Reported adversely to the passage of said bill.

Mr. Clark, from the minority of said committee, reported a substitute for said bill, recommending the passage of the said substitute.

The question being on the adoption of the substitute,

Mr. Strong moved that the further consideration of the said bill and substitute be indefinitely postponed.

And the question on the adoption thereof,

Having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Bowron, Colwell, Colley, Cotton, Crawford, Cross, Delaney, Flynn, Hazard, Kelsey, King, Lown, Martin, Page, Parkinson, Pierce, Pike, Pope, Rickerson, Rockwell, Strong, Sugden, Warren, Wells, and Young,—25.

Those who voted in the negative, were

Messrs. Alden, Barber, Bird, Chase, Clark, Daugherty, Hill, W. H. Johnson, Solon Johnson, Juneau, Kerr, Keuhn, Kimball, Meade, Noble, Nute, Phelps, Pratt, Reymert, Roys, Thomas, Thorp, Toland, Townsend, Turck, Wasson, White, Willard, and Hobart, (speaker,)—29.

Mr. King moved further to amend by inserting: "And she shall have the same right to contract and be contracted with, and to vote and be voted for, as her husband.

And the question on the adoption thereof

Having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Bowron, Crawford, Cross, Delaney, Hazard, Juneau, Kelsey, King, Lown, Page, Parkinson, Pierce, Pike, Rickerson, Rockwell, Strong, Sugden, Wells, and Young,—19.

Those who voted in the negative were

Messrs. Alden, Barber, Bird, Chase, Colwell, Colley, Cotton, Clark. Crandall, Daugherty, Flynn, Hastings, Hill, W. H. Johnson, Solon Johnson, Kerr, Keuhn, Martin, Meade, Noble, Nute, Phelps, Pope, Pratt, Reymert, Roys, Thomas, Thorp, Toland, Townsend, Turck, Warren, Wasson, White, Willard, and Hobart, (speaker,)—37.

Mr. Strong moved to amend the bill by adding the following: "For the purpose of carrying into effect the provisions of this section, the wife shall be enabled to bring suits in her own name against third persons and also against her husband."

And the question being on the adoption thereof,

Having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Bowron, Colwell, Colley, Crawford, Cross, Delaney, Flynn, Kelsey, Lown, Page, Parkinson, Pierce, Pike, Rockwell, Strong, Sugden, Wells, and Young,—18.

Those who voted in the negative, were

Messrs. Alden, Barber, Bird, Chase, Clark, Crandall, Daugherty, Hastings, Hazard, Hill, W. H. Johnson, Solon Johnson, Juneau, Kerr, Kuehn, Kimball, King, Martin, Meade, Noble, Nute, Phelps, Pope, Pratt, Reymert, Rickerson, Roys, Thomas, Thorp, Toland, Townsend, Turck, Warren, Wasson, White, Willard, and Hobart, (speaker)—37.

Mr. Wells moved that the assembly do now adjourn.

And the question thereon,

Having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Bowron, Colley, Crandall, Crawford, Cross, Delaney, Flynn, Hazard, Kelsey, Kerr, King, Lown, Martin, Page, Parkinson, Phelps, Pierce, Pike, Pope. Rickerson, Rockwell, Strong, Sugden, Warren, Wells, and Young,—26.

Those who voted in the negative, were

Messrs. Alden, Barber, Bird, Chase, Colwell, Clark, Daugherty, Hastings, Hill, W. H. Johnson, Solon Johnson, Juneau, Kuehn, Kimball, Meade, Noble, Nute, Pratt, Reymert, Roys, Thomas, Thorp, Toland, Townsend, Turck, Wasson, White, Willard, and Hobart, (speaker,)—29.

Mr. Strong moved that the assembly do now adjourn until half past two o'clock, P. M.

And the question on the adoption thereof,

Having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Bird, Bowron, Colwell, Colley, Cotton, Crawford, Cross, Delaney, Flynn, Hazard, Hill, Kelsey, King, Lown, Martin, Nute, Page, Parkinson, Pierce, Pike, Pope, Rickerson, Rockwell, Strong, Sugden, Toland, Wells, and Young,—28.

Those who voted in the negative were

Messrs. Alden, Barber, Chase, Clark, Crandall, Daugherty, Hastings, W. H. Johnson, Solon Johnson, Juneau, Kerr, Keuhn, Kimball, Meade, Noble. Phelps, Pratt, Reymert, Roys, Thomas, Thorp, Townsend, Turck, Warren, Wasson, White, Willard, and Hobart, (speaker,)—28.

Mr. Delaney moved that the assembly do now adjourn until three o'clock.

And the question on the adoption thereof,

Having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Bowron, Colley, Cotton, Crawford, Cross, Delaney, Flynn, Kelsey, King, Lown, Parkinson, Pike, Rickerson, Rockwell, Strong, Sugden, Toland, Wells, and Young,—19.

Those who voted in the negative, were

Messrs. Alden, Barber, Bird, Chase, Colwell, Clark, Crandall, Daugherty, Hastings, Hazard, Hill W. H. Johnson, Solon Johnson, Juneau, Kerr, Kuehn, Kimball, Martin, Meade, Noble, Nute, Page, Phelps, Pierce, Pope, Pratt, Reymert, Roys, Thomas, Thorp, Townsend, Turck, Warren, Wasson, White, Willard, and Hobart, (speaker.)—37.

Mr. Toland moved that the assembly do now adjourn until half past two o'clock;

Which was agreed to.

HALF PAST TWO O'CLOCK, P. M.

A message from the senate by their chief clerk:

MR. SPEAKER:

I am directed to inform you that the senate has appointed Mr. Kinney as the committee on the part of the senate on resolution to settle with the state treasurer.

And that senate has receded from its second amendment to bill

No. 226, (A,) A bill concering costs and fees;

And senate has receded from its amendments to bill

No. 93, (A.) A bill to authorize the electors of LaFayette county to vote on the removal of the county seat;

And that senate has concurred in the passage of

No. 106, (A.) A bill for laying out certain roads therein described;

No. 160, (A.) A bill to prevent forcible entries and unlawful detainers;

No. 162, (A.) A bill on mechanic's and laborer's lien;

No. 175, (A.) An act for revising and consolidating the general statutes of the state of Wisconsin;

No. 180, (A.) A bill to provide for tribunals of conciliation in and for the several towns in this state and the regulation thereof;

No. 188, (A.) A bill in relation to printing;

No. 208, (A.) A bill to restrain unauthorized banking;

No. 213, (A.) A bill to provide for the annual meeting of the legislature;

No. 214, (A.) A bill concerning the weighing of lead ore, copper ore, and other mineral substance;

No. 215, (A.) A bill to establish the university of Wisconsin;

No. 216, (A,) A bill relative to seals;

No. 218, (A.) A bill concerning timber and lumber floating upon adjoining water and carried upon adjoining lands;

No. 223, (A.) A bill concerning the money of account;

No. 225, (A.) A bill to authorize the construction of a dam across the Peckatonica river in La Fayette county;

No. 227, (A.) A bill for the distribution of the arms of the state;

No. 228, (A.) A bill to defray the contingent expenses of the executive office;

No. 229, (A.) A bill to authorize the trustees of Plum Grove school district in the town of Cassville, Grant county, to levy a tax to build a school house;

No. 231, (A.) A bill supplemental to an act to establish the university of Wisconsin;

Without amendment.

And has concurred in the passage of

No. 209, (A.) A bill to declare Waukesha county jail the states' prison, until otherwise provided by law;

With an amendment.

In which the concurrence of the assembly is requested.

And has passed

No. 152, (S.) A bill to provide for levying a state tax;

No. 155, (S.) Of proceedings against corporations in chancery;

No. 156, (S.) Of proceedings against corporations in courts of law;

No. 157, (S.) General provisions relating to incorporations;

In which the concurrence of the assembly is requested.

And has concurred in the passage of

No. 177, (A.) A bill for the foreclosure of Mortgages by advertisement; and

No. 219, (A.) A bill concerning public shows and exhibitions;

Without amendment; and

No. 73, (A.) A bill to provide for the location of a state's prison; and

No. 147, (A.) A bill providing for the sale of the school section in the city of Racine,

With amendments to each.

In which the concurrence of the assembly is requested.

And has adopted the following resolution:

Resolved, by the senate and assembly, That each member of the legislature be requested to furnish the chief clerks of their respective bodies, the number and kind of newspapers taken by them respectively, at the expense of the state.

In which the concurrence of the assembly is requested.

The speaker laid before the assembly the following chapters from the revisers:

No. 238, (A.) A bill authorizing the governor to draw the five per centum of the nett proceeds of the public lands;

No. 239, (A.) Of the rates of toll for grinding;

No. 240, (A.) Of marks and brands for horses, cattle, sheep and hogs, and filing chattel mortgages;

No. 241, (A.) Of fences and fence viewers, of pounds and the impounding of cattle: and

No. 242, (A.) Of the collection of penalties, forfeitures and fines;

Which were read the first and second times.

The rules first having been suspended, said bill No. 238, (A.) was read the third time, passed, and the title thereof agreed to.

The question being on suspending the rules,

Mr. Cross moved that said bill No. 239, (A.) be indefinitely postponed.

And the question on the adoption thereof,

Having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Barber, Chase, Colley, Cotton, Cross, Daugherty, Delaney, Flynn, Hill, Solon Johnson, Juneau, Kimball, King, Martin, Pierce, Reymert, Rockwell, Sugden, Wells, Young and Hobart, (speaker.)—21.

Those who voted in the negative, were

Messrs. Bird, Bowron, Colwell, Clark, Crandall, Crawford, Hastings, Hazard, W. H. Johnson, Kelsey, Leland, Lown, Meade, Noble, Nute, Page, Parkinson, Phelps, Pike, Pope, Pratt, Rickerson, Roys, Strong, Thomas, Thorp, Toland, Townsend, Turck, Warren, Wasson, and Willard,—33.

Mr. Rockwell moved that the said bill be referred to a select committee of three;

Which was agreed to.

The speaker appointed Messrs. Rockwell, Nute and Delaney as said committee.

Mr. Wells moved that said bills Nos. 240, and 241, (A.) be referred to a select committee of three;

Which was agreed to.

The speaker appointed Messrs. Wells, Roys and Wasson as said committee.

The pending question being on the adoption of the substitute of the commitee to

No. 222, (A.) A bill concerning general principles concerning husband and wife,

Mr. Delaney moved to amend said bill by adding another section, as follows ;

Sec. ——, The wife shall not be allowed to plead coverture in any proceeding at law, or in equity, and shall be liable to be proceeded against for all offences against the laws, or rights of individuals, in the same manner as a femme sole, and the husband shall not be liable for any act of his wife as such.

And the question on the adoption thereof,

Having been put,

It was decided in the negative.

Mr. Wells moved to amend said substitute by adding another section, as follows :

Sec. —— Nothing in this act shall be so construed as to affect the marriage relations of man and wife in Waukesha county.

And the question on the adoption thereof,

Having been put,

It was decided in the negative.

Mr. Delaney moved to amend said substitute by adding another section, as follows .

Sec. —— The wife shall not be incompetent, on the ground of the marriage relation, to give evidence, either for or against the husband, in any civil action at law or in eqtuity ;

Which was disagreed to.

Mr. Hazard moved to amend by striking out the words "personal" wherever it occurs in said substitute ;

Which was disagreed to.

The question being on the adoption of the substitute as offered by the committee.

And having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Alden, Barber, Bird, Chase, Clark, Daugherty, Hastings, Hill, W. H. Johnson, Solon Johnson, Juneau, Kerr, Kuehn, Kimball, Martin, Meade, Noble, Nute, Phelps, Pratt, Roys, Reymert, Thomas, Thorp, Toland, Townsend, Turck, Wasson, White, Willard, and Hobart, (speaker.)—31.

Those who voted in the negative were

Messrs. Bowron, Colwell, Colley, Cotton, Crandall, Crawford, Cross, Delaney, Flynn, Hazard, Kelsey, King, Leland, Lown, Page, Parkinson, Pierce, Pike, Pope, Rickerson, Rockwell, Strong, Sugden, Warren, Wells, and Young—26.

Mr. White moved that the vote by which the assembly refused to adopt the amendment of Mr. Hazard, be re-considered,

And the question on the adoption thereof,

Having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Bowron, Colwell, Colley, Cotton, Crandall, Crawford, Delaney, Hazard, Kelsey, King, Leland, Lown, Nute, Page, Pike, Pope, Parkinson, Rickerson, Rockwell, Strong, Sugden, Toland, Warren, Wells, White, Willard, and Young—27.

Those who voted in the negative, were

Messrs. Alden, Barber, Bird, Chase, Clark, Cross, Daugherty, Flynn, Hill, W. H. Johnson, Solon Johnson, Juneau, Kerr, Kuehn, Kimball, Martin, Meade, Noble, Phelps, Pierce, Pratt, Reymert, Roys, Thomas, Thorp, Townsend, Turck, Wasson and Hobart, (speaker,)—29.

Mr. Delaney moved to amend the bill by adding a further section, as follows:

Sec. —— The wife shall hereafter be capable of sueing and being sued, as an unmarried female of lawful age, for all actions of trespass or on the case, and she shall in all such cases be proceeded against by process the same as if she were sole.

And the question on the adoption thereof,

Having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were;

Messrs. Bowron, Colley, Cotton, Crandall, Crawford, Cross, Delaney, Flynn, Hazard, Kelsey, King, Leland, Lown, Martin, Nute, Page, Parkinson, Pierce, Pike, Rickerson, Rockwell, Strong, Sugden, Wells, and Young—25.

Those who voted in the negative, were

Messrs. Alden, Barber, Bird, Chase, Colwell, Clark, Daugherty, Hastings, Hill, W. H. Johnson, Solon Johnson, Juneau, Kerr, Kuehn, Kimball, Meade, Noble, Phelps, Pope, Pratt, Reymert, Roys, Thomas, Thorp, Toland, Townsend, Turck, Warren, Wasson, White, Willard and Hobart, (speaker,)—32.

Mr. Wells moved further to amend the bill by adding a new section, as follows:

Sec. —— This act shall not become a law until it shall have been first submitted to a vote of the electors of this state at the next annual election, then if a majority shall vote in favor it shall become a law.

And the question on the adoption thereof,

Having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Alden, Bowron, Colwell, Colley, Cotton, Crandall, Crawford, Cross, Delaney, Flynn, Hazard, Kelsey, Leland, Lown, Martin, Nute, Page, Parkinson, Pierce, Pike, Pope, Rickerson, Rockwell, Strong, Sugden, Toland, Warren, Wells, White, Willard and Young—31.

Those who voted in the negative were

Messrs. Barber, Bird, Chase, Clark, Daugherty, Hastings, Hill, W. H. Johnson, Solon Johnson, Juneau, Kerr, Keuhn, Kimball, Meade, Noble, Phelps, Pratt, Reymert, Roys, Thomas, Thorp, Townsend, Turck, Wasson, and Hobart, (speaker,) —25.

And the question being on ordering said bill to be engrossed and read the third time,

Having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Alden, Barber, Bird, Chase, Colley, Cotton, Clark, Cross, Daugherty, Hastings, W. H. Johnson, Solon Johnson, Kerr, Keuhn, Kimball, King, Martin, Noble, Nute, Phelps, Pierce, Pratt, Reymert, Roys, Thomas, Thorp, Toland, Townsend, Turck, Warren, Wasson, Wells, White, Willard, and Hobart, (speaker.)—35.

Those who voted in the negative, were

Messrs. Bowron, Colwell, Crandall, Crawford, Delaney, Flynn, Hazard, Hill, Juneau, Kelsey, Leland, Lown, Meade, Page, Parkinson, Pike, Pope, Rickerson, Rockwell, Strong, Sugden, and Young—22.

Mr. Barber, from the select committee to whom had been referred

No. 116, (A.) A bill to provide for a final settlement with the Milwaukee and Rock river canal company,.

Submitted a report, adverse to the passage of said bill.

Mr. Barber moved that said report be laid upon the table and ordered to be printed;

Which was agreed to.

Mr. Kerr, from the committee on enrolled bills, reported as follows:

The committee on enrolled bills report that they have examined

No. 205, (A.) A bill authorizing the maintenance of actions by persons holding claims on United States lands;

No. 134, (A.) A bill to legalize the acts of certain town officers in the town of Spring Prairie, and to declare a road therein described a lawful highway;

No. 186, (A.) A bill to prevent the sale of intoxicating liquors to Indians;

No. 206, (A.) A bill concerning Electric Telegraph lines;

No. 98, (S.) A bill to provide for the publication of certain laws therein mentioned, in the Norwegian and German languages;

No. 62, (A.) A bill to lay out and establish certain roads therein named;

No. 203, (A.) A bill to amend an act to organize the county of Manitowoc for judicial purposes;

No. 200, (A.) A bill to authorize the construction of a bridge across Nepasink lake; and

No. 197, (A.) A bill concerning the crime of seduction.

A message from the senate by their chief clerk;

Mr. SPEAKER:

I am directed to inform you that the senate has concurred in the adoption of the

First resolution of the assembly in relation to Hon. I. P. Walker, with amendments,

In which the concurrence of the assembly is requested.

And has negatived the second resolution;

And has postponed the 3rd and 4th resolutions until the 5th day of July next.

In which the concurrence of the assembly is requested.

And that the senate has passed

No. 154, (S.) Of proceedings as for contempts to enforce civil remedies, and to protect the rights of parties in civil actions;

No. 158, (S.) Of voluntary dissolution of corporations;

No. 159, (S.) A bill to appropriate the several sums therein named;

No. 160, (S.) A bill to pay the several persons the several sums therein named; and

No. 161, (S.) A bill to pay William Doughty the interest on five bonds issued by the territory of Wisconsin.

In which the concurrence of the assembly is requested.

And that the senate has concurred in the passage of

No. 182, (A.) A bill concerning the courts held by justices of the peace,

Without amendments.

The messages from the senate were taken up.

And the question being on concurring in the amendments of the senate to joint resolutions requesting the Hon. I. P. Walker to resign his seat as United States senator in congress.

And having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Bird, Chase, Colwell, Clark, Cross, Daugherty, Delaney, Hill, Solon Johnson, Kerr, Kuehn, Phelps, Pierce, Reymert, Roys, Wasson, and Hobart, (speaker.)—17.

Those who voted in the negative were

Messrs. Colley, Crandall, Crawford, Flynn, Hazard, Kelsey, King, Leland, Lown, Martin, Noble, Nute, Page, Parkinson, Pike, Pope, Pratt, Sugden, Thorp, Toland, Warren, Wells, Willard, and Young—24.

No. 154, (S.) Of proceedings, as for contempts, to enforce civil remedies, and to protect the rights of parties in civil actions;

No. 158, (S.) Of the voluntary dissolution of corporations;

No. 159, (S.) A bill to appropriate the several sums therein named;

No. 160, (S.) A bill to pay the several persons the several sums therein named; and

No. 161, (S.) A bill to pay William Doughty the interest on five bonds issued by the territory of Wisconsin,

Were severally read the first and second times.

The rules requiring bills to be considered in committee of the whole having been suspended,

And the question being on ordering said bill No. 159, (S.) to be read the third time,

Mr. Clark moved that the blank in said bill be filled with the words "two hundred and seven dollars and fifty cents;

Which was agreed to.

Mr. Clark moved to further amend said bill as follows:

"To each member of the senate and assembly the sum of ten dollars for stationery during the session of the legislature;"

Which was agreed to.

And the rules having first been suspended for that purpose, the said bill was read the third time,

And the question on the passage thereof,

Having been put, (three fifths of the members being present)

It was decided in the affirmative.

Those who voted in the affirmative, were

Messrs. Alden, Chase, Colwell, Colley, Cotton, Clark, Crandall, Daugherty, Flynn, Solon Johnson, Leland, Lown, Martin, Noble, Nute, Page, Phelps, Pierce, Pope, Pratt, Reymert, Roys, Sugden, Thorp, Toland, Turck, Warren, Wells, Willard, Young and Hobart, (speaker,)—31.

Those who voted in the negative, were

Messrs. Barber, Bird, Crawford, Delaney, Hazard, Hill, W. H. Johnson, Kelsey, Kerr, Keuhn, Kimball, King, Parkinson, Pike, Rickerson, Thomas, and Wasson—17.

The title of said bill was then agreed to.

And the question being on ordering said bill to be read the third time:

Mr. Clark moved to amend said bill by striking out all after the first section and inserting a substitute therefor.

Mr. Wells moved to amend the substitute by adding, "to Albert C. Ingham the sum of fifty dollars for transcribing the journals of the present session;"

Which was agreed to.

On motion of Mr. Hobart,

The assembly adjourned until half past seven o'clock, P. M.

HALF PAST SEVEN O'CLOCK, P. M.

The question pending on the adoption of the substitute,

Mr. Bird moved to amend the same by adding:

"To Daniel Noble Johnson the sum of eight dollars for two days services as chief clerk of the assembly pro tem., and

To Alexander T. Gray the sum of eight dollars for two days services as assistant clerk of the assembly pro tem.;

Which was agreed to.

The substitute as amended was then adopted.

Mr. Delaney moved to amend the substitute by adding as follows:

To Robert L. Ream and William R. Smith chief clerks of the assembly and senate, each the sum of one hundred and fifty dollars for preparing the journals for publication and superintending the publication of the same;

Which was disagreed to.

And the question on the passage of said bill

Having been put, (three fifths of the assembly being present,)

It was decided in the affirmative.

Those who voted in the affirmative were

Messrs. Alden, Barber, Bird, Chase, Colwell, Cotton, Clark, Crawford, Cross, Daugherty, Delaney, Flynn, Hill, W. H. Johnson, Solon Johnson, Juneau, Kelsey, Kerr, Keuhn, Kimball, King, Leland, Lown, Martin, Noble, Nute, Page, Phelps, Pierce, Pike, Pratt, Reymert, Rickerson, Roys, Thomas, Thorp, Toland, Townsend, Warren, Wasson, Wells, and Hobart, (speaker)—42.

Those who voted in the negative, were

Messrs. Colley, Crandall, Hastings, Hazard, Parkinson, Pope, Sugden, and Willard,—8.

The title of said bill was then agreed to.

Mr. Wells by leave, introduced

No. 243, (A.) An act to appropriate certain sums therein named;

Which was read the first and second times.

And the question being on suspending the rules,

Having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Barber, Bird, Chase, Colwell, Colley, Crandall, Crawford, Daugherty, Hastings, Hazard, Solon Johnson, Kelsey, Kerr, Leland, Lown, Martin, Noble, Nute, Page, Parkinson, Phelps, Pike, Pope, Pratt, Toland, Warren, Wasson, Wells, Willard, Young, and Hobart, (speaker.)—31.

Those who voted in the negative, were

Messrs. Alden, Cotton, Clark, Cross, Delaney, Flynn, Hill, Juneau, Kuehn, Kimball, King, Pierce, Rickerson, Roys, Sugden, Thomas, and Townsend,—17.

And after some time the rules having been suspended by unanimous consent,

The question upon the passage of said bill having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Barber, Bird, Chase, Colwell, Colley, Crandall, Crawford, Daugherty, Hastings, Hazard, Solon Johnson, Kelsey, Kerr, Leland, Lown, Martin, Noble, Nute, Page, Parkinson, Phelps, Pike, Pope, Pratt, Reymert, Rockwell, Strong, Thorp, Turck, Warren, Wasson, Wells, Willard, Young, and Hobart, (speaker,)—35.

Those who voted in the negative, were

Messrs. Alden, Cotton, Clark, Cross, Delaney, Flynn, Hill, Juneau, Kuehn, Kimball, King, Meade, Pierce, Rickerson, Roys, Sugden, Thomas, Toland, and Townsend,—19.

The title of said bill was then agreed to.

Mr. Daugherty, from the committee on engrossed bills reported as correctly engrossed,

No. 174, (A.) A bill to provide for laying out certain roads therein named; and

No. 222, (A.) A bill on general provisions concerning husband and wife.

Mr. Kelsey presented

The petition of Wyman Spooner and seventy-two others of the county of Walworth, praying for the change of the boundary lines of the town of Elkhorn in said county;

Which was referred to the committee on town and county organization.

Mr. Noble introduced the following resolutions, to wit:

Resolved, by the assembly of the state of Wisconsin, That the course of Isaac P. Walker, one of the senators of this state in the congress of the United States, in presenting and voting for an amendment to the general appropriation bill, providing for a government in California and New Mexico, west of the Rio Grande, which did not contain a provision forever prohibiting the introduction of slavery, or involuntary servitude in said territories, has violated his oft-repeated as well as his solemn written pledges, given before his election, on that subject, and outraged the feelings and misrepresented those who elected him to that station, and openly violated the instructions contained in the resolutions passed by this body on the subject of slavery, at its present session; therefore,

Resolved, That Mr. Walker is hereby requested immediately to resign his seat in the United States senate.

Resolved, That Hon. Henry Dodge our other senator, in voting against the proposition of Mr. Walker as he did on the 20th of February last, has represented the views and wishes of his constituents on that subject, for which we express to him our most cordial approval of his course.

Resolved, That the governor is requested to forward a copy of the foregoing resolutions to the president of the senate, and to each of our senators and representatives in Congress.

Mr. Bowron moved that said resolutions be laid upon the table;

Which was disagreed to.

Mr. Hazard moved that the further consideration of the same be postponed until to-morrow;

Which was disagreed to.

Mr. Wasson moved to amend the first resolution by striking out "has violated his oft-repeated as well as his solemn written pledges, given before his election, on that subject, and;"

Which was disagreed to.

And the question on the adoption of the first resolution,

Having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered.

And the question being on the adoption of the same,

Mr. Wasson called for a division of the question.

The speaker decided the question to be divisible.

And the question being on the adoption of the first resolution,

Having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Alden, Barber, Bird, Chase, Colwell, Colley, Clark, Crandall, Crawford, Daugherty, Hastings, Juneau, Kelsey, Kerr, Kimball, King, Leland, Lown, Martin, Noble, Page, Phelps, Pike, Pope, Pratt, Reymert, Rockwell, Strong, Thorp, Toland, Townsend, Warren, Wells, Willard, Young, and Hobart, (speaker.)—36.

Those who voted in the negative, were

Messrs. Bowron, Cotton, Cross, Delaney, Flynn, Hazard, Hill, W. H. Johnson, Solon Johnson, Kuehn, Nute, Parkinson, Pierce, Rickerson, Roys, Turck, and Wasson,—18.

And the question being on the adoption of the second resolution,

Having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Alden, Barber, Bird, Chase, Colwell, Colley, Clark, Crandall, Crawford, Daugherty, Hastings, Juneau, Kelsey, Kerr, Kimball, King, Leland, Lown, Martin, Noble, Page, Phelps, Pike, Pope, Pratt, Reymert, Rockwell, Strong, Thomas, Thorp, Townsend, Warren, Wells, Willard, Young, and Hobart, (speaker,)—36.

Those who voted in the negative, were

Messrs. Bowron, Cotton, Cross, Delaney, Flynn, Hazard, Hill, W. H. Johnson, Solon Johnson, Kuehn, Nute, Parkinson, Pierce, Rickerson, Roys, Toland, Turck, and Wasson,—18.

And the question being on the adoption of the fourth resolution,

Having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Alden, Barber, Bird, Chase, Colwell, Colley, Clark, Crandall, Crawford, Hastings, Juneau, Kelsey, Kimball, King, Leland, Lown, Martin, Noble, Nute, Page, Phelps, Pope, Pratt, Reymert, Rockwell, Strong, Thomas, Thorp, Toland, Townsend, Wasson, Warren, Wells, Willard, Young, and Hobart, (speaker,)—37.

Those who voted in the negative, were

Messrs. Bowron, Cotton, Cross, Delaney, Flynn, Hazard, Hill, W. H. Johnson, Parkinson, Pierce, and Turck,—11.

The fourth resolution was then adopted.

On motion of Mr. Clark,

The assembly adjourned.

THURSDAY, March 29th, 1849.

Prayer by the Rev. Mr. Lord.

No. 174, (A.) A bill to provide for laying out certain roads therein described;

Was read the third time, passed, and title thereof agreed to.

Mr. Clark by leave, introduced

No. 244, (A.) A bill to lay out and establish a certain road;

Which was read the first and second times, and

The rules being suspended, was read the third time, passed, and title agreed to.

No. 242, (A.) Of the collection of penalties, forfeitures and fines;

Was read the third time, passed, and the title thereof agreed to.

No. 222, (A.) A bill concerning general principles concerning husband and wife,

Was read the third time.

And the question being on the passage thereof,

Having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Alden, Barber, Bird, Colwell, Colley, Cotton, Clark, Cross, Daugherty, W. H. Johnson, Solon Johnson, Juneau, Kerr, Kuehn, Kimball, Noble, Nute, Phelps, Pratt, Reymert, Roys, Thomas, Thorp, Toland, Townsend, Wasson, White, Willard, and Hobart, (speaker)—28.

Those who voted in the negative, were

Messrs. Bowron, Chase, Crandall, Crawford, Delaney, Flynn, Hill, Kelsey, King, Leland, Lown, Martin, Parkinson, Pierce, Pike, Pope, Rickerson, Rockwell, Strong, Sugden, Warren, Wells, and Young,—24.

Mr. Rickerson moved that bill

No, 171, (A.) A bill granting the right of pre-emption to settlers and occupants of school and university lands,

Be taken from the table,

And referred to a select committee of three;

Which was agreed to.

The speaker appointed Messrs. Rickerson, Sugden, and Cotton as said committee.

Mr. Clark introduced the following resolution, which was adopted, to wit:

Resolved, That the sergeant-at-arms be directed to give to each officer, under his direction, an order on the state treasurer for the balance due them, forthwith.

Mr. Rickerson by leave, introduced

No. 245, (A.) A bill to remit certain fines;

Which was read the first and second times.

And the rules being suspended, was read the third time, passed, and the title thereof agreed to.

Messages from the senate were taken up.

No. 152, (S.) A bill to provide for levying a state tax;

No. 155, (S.) Of proceedings against corporations in chancery;

No. 156, (S.) Of proceedings against corporations in courts of law; and

No. 157, (S.) General provisions relating to incorporations;

Were severally read the first and second times.

Amendments of the senate to bill

No. 147, (A.) A bill providing for the sale of the school section in the city of Racine,

Were concurred in.

The amendments of senate to bill

No. 209, (A.) A bill to declare Waukesha county jail the states' prison, until otherwise provided by law;

Were concurred in.

The resolution of the senate in relation to newspapers furnished members during the session, was concurred in.

On motion of Mr. Cross,

The assembly resolved itself into committee of the whole for the consideration of bill

No. 193, (A.) A bill to repeal all the acts which are consolidated in the revised statutes;

Mr. Daugherty in the chair.

And after some time spent therein the committee rose and by their chairman reported back to the assembly said bill

With sundry amendments.

The amendments of the committee of the whole to said bill,

Were concurred in.

The rules were then suspended, and the said bill was then read the third time, passed, and the title thereof agreed to.

Mr. Clark presented

The petition of Beriah Brown in relation to the publication of the revised statutes of the state; which

On motion of Mr. Clark,

Was referred to the committee on the judiciary.

A message from the senate, by their chief clerk:

MR. SPEAKER:

I am directed to inform you that the senate has passed

No. 239, (A.) A bill to authorize the board of supervisors of Sheboygan county to erect county buildings,

Without amendment.

Messages from the senate were then taken up.

Mr. Barber moved that the bill

No. 73, (A.) A bill in relation to the states' prison,

And the amendment of the senate thereto, be referred to the committee on states' prison;

Which was agreed to.

The amendment of the senate to bill No. 115, (A.)

Was concurred in.

The amendment of the senate to bill No. 233, (A.)

Was concurred in.

The amendment of the senate to bill, No. 236, (A.)

Was concurred in.

Mr. Hobart moved that bill

No. 45, (A.) An act to appropriate to H. A. Tenney the sum therein named,

Be taken from the table;

Which was agreed to.

The amendment of the senate to said bill No. 45, (A.)

Was concurred in.

Mr. Wasson, from the select committee to whom the same had been referred, reported back to the assembly,

No. 240, (A.) Of marks and brands for horses, cattle, sheep and hogs, and filing chattel mortgages; and

No. 241, (A.) Of fences and fence viewers, of pounds and the impounding of cattle:

Reported said bill No. 240, (A.) without amendment, and No. 241, (A.) with amendments,

The amendments of the committee to said bill No. 241, (A.)

Were concurred in.

The said bills No. 240 and 241, (A.) were then severally read the third time, passed, and the titles thereof agreed to.

Mr. Thorp by leave, introduced

No. 247, (A.) A bill relating to officers bonds, and declaring the extent of liability on the same;

Which was read the first and second times, and

The rules first being suspended, was read the third time, passed, and the title thereof agreed to.

A message from the senate by their chief clerk:

MR. SPEAKER:

I am directed to inform you that the senate has passed

No. 232, (A.) A bill to authorize school district No. 7, in the town of Ottawa, Waukesha county, to levy a tax to build a school house;

No 234, (A.) A bill to authorize James Weaver and others to build a dam;

Without amendment. And

No. 115, (A.) A bill to incorporate the Free Congregational Church of the city of Milwaukee;

No. 233, (A.) A bill to incorporate the Jefferson county normal school; and

No. 236, (A.) A bill to authorize James B. Miller to keep and maintain a ferry across the Wisconsin river;

With amendments to each.

In which the concurrence of the assembly is requested.

And has concurred in the following resolution.

Resolved, (the senate concurring,) That the joint committee on enrolled bills reported by the revisers and the committee on compilation, be authorized to call to their assistance such aid as will enable them to have the enrolled bills all examined by Saturday evening next.

Mr. Cross by leave, introduced

No. 248, (A.) A bill concerning the publication of the decisions of the supreme court of the late territory of Wisconsin;

Which was read the first and second times, and the rules being first suspended,

Was read the third time, passed, and the title thereof agreed to.

Mr. Kerr introduced the following resolution, which was adopted:

Resolved, by the assembly, (the senate concurring,) That the committee on enrolled bills be allowed to present to the governor for his approval, all bills in their hands from this time forward, until the close of the session.

Mr. Young by leave, introduced

No. 249, (A.) A bill to authorize the inhabitants of school district No. one in the town of Hazle Green in the county of Grant, to raise a tax to build a school house in said district;

Which was read the first and second times, and

The rules having first been suspended, was read the third time, passed, and the title thereof agreed to.

Under the rule,

The assembly resolved itself into committee of the whole for the consideration of the general file of bills,

Mr. Thorp in the chair.

And after some time spent therein the committee rose and by their chairman reported back to the assembly

No. 116. (S,) A bill to provide for the final settlement with the Milwaukee and Rock river canal company;

No. 155, (S.) Of proceedings against corporations in chancery;

No. 156, (S.) Of proceedings against corporations in courts of law;

No. 157, (S.) General provisions relating to incorporations;

No. 158, (S.) Of the voluntary disolution of corporations;

No. 154, (S.) Of proceedings as for contempts, to enforce cival remedies and to protect the rights of parties in civil actions;

No. 161, (S.) A bill to pay William Doughty the interest on five bonds issued by the territory of Wisconsin; and

No. 152, (S.) A bill to provide for levying a state tax;

Without amendments.

The said bill No. 116, (S.) was

On motion of Mr. Barber,

Laid upon the table.

The said bills Nos. 154, 156, and 158, (S.) were

On motion of Mr. Hobart,

Referred to a select committee of three.

The speaker appointed Messrs. Kelsey, Cross and Delaney as said committee.

The said bills Nos. 155, and 157, (S.)

Were read the third time, passed, and the titles thereof agreed to.

The said bill No. 152, (S.) was

On motion of Mr. Barber,

Referred to the committee on ways and means.

Mr. Strong, from the committee on the judiciary reported adversely to the prayer of the petition of Beriah Brown, this day referred to said committee.

Mr. Hobart moved that said report be adopted;

Which was agreed to.

Mr. Bird introduced the following resolution, which was adopted, to wit:

Resolved, (the senate concurring,) That the secretary of state, is hereby directed to write on each claim against the state on which an appropriation has been or hereafter is made, the amount of such appropriation, and the date of the approval thereof by the governor, and also enter in a book to be obtained by the secretary of state for that purpose. the amount of such claim, the sum appropriated thereon, and the date of the approval thereof by the governor, which said claims and book when so prepared by him, the said secretary of state shall deposit in the office of the state treasurer, who shall keep the same claims and books in his office for future reference.

Mr. Barber, from the committee on states' prison, reported bill

No. 73, (A.) A bill to provide for the location of a states' prison,

Back to the assembly with an amendment.

The question being on the adoption of the amendment,

Mr. Solon Johnson moved that the further consideration of said bill be indefinitely postponed;

Which was agreed to.

Mr. Cross, from the committee on compilation of the laws, reported

No. 250, (A.) A bill relative to the publication of the revised statutes;

Which was read the first and second times.

Mr. Hobart moved that said bill be referred to a select committee of three;

Which was agreed to.

The speaker appointed Messrs. Clark, Noble and Meade as said committee.

Mr. Strong, from the judiciary committee, reported

No. 251, (A.) A bill to extend the time for collecting the taxes in certain towns in the county of Brown for the year 1848;

Which was read the first and second times, and the rules first having been suspended, read the third time, passed and the title thereof agreed to.

Mr. Strong, from the select committee to whom the same had been referred, reported back to the assembly

No. 161, (S.) A bill to pay to William Doughty, the interest on five bonds issued by the territory of Wisconsin,

Without amendment.

And the question on the adoption thereof,

Having been put, (three-fifths of the members being present,)

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Alden, Barber, Bird, Bowron, Chase, Colwell, Colley, Cotton, Clark, Crandall, Crawford, Cross, Daugherty, Delaney, Hastings, W. H. Johnson, Solon Johnson, Kelsey, Kerr, Kimball, King, Leland, Lown, Martin, Meade, Noble, Nute, Page, Parkinson, Phelps, Pierce, Pike, Pratt, Rickerson, Rockwell, Strong, Sugden, Thomas, Thorp, Warren, Wasson, Wells, and Young,—42.

Those who voted in the negative were

Mr. Hobart, (speaker,)—1.

Mr. Meade, by leave, introduced

No. 252, (A.) A bill to amend an act entitled an act to provide for the improvement of the Fox and Wisconsin rivers, and connecting the same by a canal, approved Aug. 8, 1848;

Which was read the first and second times.

Mr. Bowron moved that said bill be referred to a select committee of five;

Which was agreed to.

Mr. Rickerson, from the select committee to whom the same had been referred, reported back to the assembly bill No. 171, (A.)

Which was read third time, passed, and the title thereof agreed to.

Mr. Kelsey, from the select committee to whom the same had been referred, reported back to the assembly

No. 154, (S.) Of proceedings, as for contempts, to enforce civil remedies, and to protect the rights of parties in civil actions; and

No. 156, (S.) Of proceedings against corporations in courts of law;

Which were severally read the third time, passed, and the titles thereof agreed to.

On motion of Mr. Alden,

The assembly adjourned until half past two, P. M.

HALF PAST TWO O'CLOCK, P. M.

A message from the senate by their chief clerk:

Mr. Speaker:

I am directed to inform you that the senate has concurred in the amendments of assembly to

No. 160, (S.) A bill to pay the several persons the several sums therein named;

And have appointed Messrs. Kinney, Sprague and Botkin a committee of conference on the disagreeing vote of the two houses on said bill No. 160, (S.)

And that senate has concurred in the first amendment, and has non-concurred in the second amendment to

No. 159, (S.) A bill to appropriate the several sums therein named;

And has passed

No. 243, (A.) An act to appropriate certain sums therein named,

Without amendment.

And has concurred in the passage of

No. 101, (A.) A bill in relation to the school and university lands, the sale and superintendence thereof, and the powers and duties of the commissioners of said lands,

With amendments,

In which the concurrence of the assembly is requested.

Messages from the senate were taken up.

The assembly insisted on its amendments to said bill No. 160, (S.) and

The speaker appointed Messrs. Clark, Daugherty and Thorp, as a committee of conference on the disagreeing vote of the two houses on said bill.

The question being on receding from the amendment of the assembly to said bill No. 159, (S.)

Having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Barber, Bowron, Colwell, Cotton, Crandall, Crawford, Daugherty, Hill, W. H.Johnson, Juneau, Kelsey, Keuhn, Kimball, King, Lown, Martin, Meade, Nute, Page, Parkinson, Pike, Pope, Pratt, Reymert, Strong, Thomas, Wasson, White and Young,—29.

Those who voted in the negative, were

Messrs. Colley, Clark, Flynn, Solon Johnson, Leland, Noble, Phelps, Pierce, Roys, Thorp, Toland, Warren, Wells, and Hobart, (speaker)—15.

The first, second, third, fourth, fifth and sixth amendments of the senate to said bill No. 101, (A.)

Were concurred in.

The seventh amendment of the senate to said bill No. 101, (A.)

Was non-concurred in,

The question being on the passage of

No. 109, (S.) A bill to pay to Daniel Noble Johnson the sum therein named;

Having been put, (three fifths of the members being present)

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Barber, Bowron, Colwell, Colley, Clark, Crawford, Flynn, Hastings, W. H. Johnson, Solon Johnson, Kelsey, Kerr, Keuhn, Kimball, Leland, Lown, Martin, Meade, Noble, Nute, Page, Phelps, Pierce, Pike, Pope, Pratt, Reymert, Roys, Strong, Sugden, Thomas, Thorp, Toland, Warren, Wasson, Wells, Willard, Young and Hobart, (speaker,)—38.

Those who voted in the negative, were

Messrs. Crandall, and King,—2.

Mr. Kelsey, from the select committee to whom the same had been referred, reported adversely to the passage of

No. 158, (S.) Of the voluntary dissolution of corporations.

The question being on the passage of said bill, Mr. Kelsey moved to amend the same by striking out the enacting clause;

Which was agreed to.

On motion of Mr. Alden,

The assembly adjourned until half-past two o'clock, P. M.

HALF PAST TWO O'CLOCK, P. M.

The speaker laid before the assembly the following communication from his excellency the governor:

EXECUTIVE DEPARTMENT,
March 29th, 1849.

To the Assembly:

I have this day, approved, signed and deposited in the office of the secretary of state, acts of the following titles, to wit:

An act to authorize the construction of a bridge across Fox river;

An act to legalize the acts of certain town officers of the town of Spring Prairie, Walworth county, and to declare a road therein described a lawful highway; and

An act for the assessment and collection of taxes.

NELSON DEWEY.

Mr. Kerr, from the committee on enrolled bills, reported as correctly enrolled

No. 14, (S.) Resolution relative to the military reserve at Fort Winnebago;

No. 135, (S.) An act relating to private nuisances and general provisions relating to actions concerning real estate;

No. 149, (S.) Of libraries and lyceums;

No. 147, (S.) Of the preservation of the public health;

No. 189, (A.) A bill concerning county surveyors;

No. 73, (S.) A bill to punish trespass on university and school lands;

No. 144, (S.) A bill to appropriate to the county of St. Croix the sum therein named;

No. 124, (S.) A bill to incorporate the Watertown academy;

No. 151, (S.) Of the racing of animals;

No. 117, (S.) A bill to amend an act entitled an act to incorporate the Southport and Beloit Road Company;

No. 143, (S.) A bill to provide for the payment of certain persons therein named;

No. 138, (S.) A bill concerning navigable rivers;

No. 147, (A.) A bill providing for the sale of the school section in the city of Racine;

No. 207, (A.) A bill concerning religious societies;

No. 199, (A.) A bill concerning marriages; and

No. 176, (A.) A bill relating to the several counties of this state.

The said bills were thereupon signed by the speaker and transmitted to the senate.

Mr. Kerr, from the same committee, reported that they have this day presented to his excellency, the governor, for his approval

An act to provide for the publication of certain laws therein mentioned, in the German and Norwegian languages;

An act to legalize the acts of certain officers of the town of Spring Prairie, Walworth county, and to declare a certain road therein described a lawful highway;

An act to prevent the sale of intoxicating liquors to Indians; and

An act for the assessment and collection of taxes.

On motion of Mr. Alden,

The assembly adjourned until half past seven o'clock, P. M.

HALF PAST SEVEN O'CLOCK, P. M.

Mr. Thorp, by leave, introduced

No. 253, (A.) A bill to appropriate the several sums therein named;

Which was read the first and second times, and the rules having first been suspended,

The question "shall the bill pass?"

Having been put, (three fifths of the assembly being present,)

It was decided in the affirmative.

Those who voted in the affirmative were

Messrs. Bird, Bowron, Chase, Colwell, Colley, Cotton, Clark, Crandall, Crawford, Cross, Flynn, Hastings, Solon Johnson, Juneau, Kelsey, Kerr, Keuhn, Kimball, King, Leland, Lown, Martin, Meade, Nute, Page, Parkinson, Phelps, Pierce, Pike

Pope, Pratt, Reymert, Roys, Thomas, Thorp, Toland, Townsend, Warren, Wasson, Wells, Young and Hobart, (speaker) —42.

None voted in the negative.

Mr. Bird introduced

No. 254, (A.) An act for the payment of the mileage and per diem of the electors of president and vice-president of the United States for the state of Wisconsin;

Which was read the first and second times, rules suspended,

And the question on the adoption thereof,

Having been put, (three-fifths of the members being present,)

It was decided in the affirmative.

Those who voted in the affirmative, were

Messrs. Barber, Bird, Bowron, Cotton, Crawford, Cross, Delaney, Flynn, Hastings, W. H. Johnson, Juneau, Kelsey, Kerr, Keuhn, Kimball, King, Leland, Lown, Meade, Noble, Nute, Page, Phelps, Pierce, Pope, Pratt, Reymert, Roys, Thomas, Toland, Warren, Wells, Young, and Hobart, (speaker,)—34.

Those who voted in the negative, were

Messrs. Chase, Colley, Martin, Pike, Townsend and Wasson, —6.

The title of said bill was then agreed to.

The question being on the passage of bill

No. 104, (S.) A bill to appropriate the several sums therein named,

Having been put, (three-fifths of the assembly being present,)

It was decided in the affirmative.

Those who voted in the affirmative, were

Messrs. Alden, Barber, Bird, Bowron, Chase, Colwell, Colley, Cotton, Clark, Crandall, Crawford, Cross, Daugherty, Delaney, Flynn, W. H. Johnson, Solon Johnson, Juneau, Kelsey, Kerr, Kuehn, Kimball, King, Leland, Lown, Martin, Meade, Noble, Nute, Page, Parkinson, Pierce, Pike, Pope, Pratt, Reymert, Roys, Strong, Thomas, Toland, Townsend, Warren, Wasson, Wells, Young, and Hobart, (speaker,)—47.

The title of said bill was then agreed to.

Mr. Strong, by leave, introduced

No. 255, (A.) A bill authorizing certain suits on behalf of the state to be instituted in any county;

Which was read the first and second times, rules suspended, read the third time, passed and the title thereof agreed to.

Mr. Cross, from the committee on ways and means, to whom had been referred

No. 152, (S.) A bill to provide for levying a state tax;

Reported the same back to the assembly,

With sundry amendments.

The amendments of the said committee to said bill,

Were concurred in.

And the question being on the passage of said bill,

Mr. Bowron moved that said bill be referred to a committee of three;

Which was agreed to.

The speaker appointed Messrs. Barber, Bowron and Young as said committee.

Mr. Bird, by leave, introduced

No. 256, (A.) A bill to appropriate to the several persons the sums therein named;

Which was read the first and second times, and the rules having been suspended.

The question, "shall the bill pass?"

Having been put, (three-fifths of the assembly being present,)

It was decided in the affirmative.

Those who voted in the affirmative were

Messrs. Bird, Bowron, Chase, Colwell, Cotton, Clark, Crandall, Crawford, Cross, Delaney, Flynn, W. H. Johnson, Solon Johnson, Juneau, Kerr, Keuhn, Kimball, King, Leland, Lown, Meade, Noble, Nute, Page, Phelps, Pierce, Pike, Pope, Pratt, Reymert, Thomas, Thorp, Toland, Townsend, Warren, Wasson, Wells, Young, and Hobart, (speaker,)—39.

Mr. Roys voted in the negative.

The title of said bill was then agreed to.

A message from the senate, by their chief clerk:

MR. SPEAKER:

I am directed to inform you that the senate has passed bill

No. 222, (A.) A bill in relation to general provisions concerning husband and wife,

With an amendment,

In which the concurrence of the assembly is requested.

Messages from the senate were taken up.

And the question on concurring in the amendment of the senate to said bill No. 222, (S.)

Mr. Colley moved that the assembly do now adjourn.

And the question on the adoption of said motion,

Having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Alden, Bowron, Colwell, Colley, Cotton, Crandall, Crawford, Delaney, Flynn, Kelsey, Leland, Lown, Nute, Page, Parkinson, Pierce, Pike, Pope, and Young—19.

Those who voted in the negative, were

Messrs. Barber, Bird, Chase, Clark, Cross, Daugherty, W. H. Johnson, Solon Johnson, Juneau, Kerr, Kuehn, Kimball, King, Martin, Meade, Noble, Phelps, Pratt, Reymert, Roys, Thomas, Thorp, Toland, Townsend, Warren, Wasson, Wells, and Hobart, (speaker,)—28.

Mr. Clark moved the previous question;

Which was seconded.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Alden, Barber, Bird, Chase, Colwell, Clark, Daugherty, W. H. Johnson, Solon Johnson, Juneau, Kerr, Kuehn, Kimball, Meade, Noble, Phelps, Pratt, Reymert, Roys, Thomas, Thorp, Toland, Townsend, Wasson, Wells, and Hobart, (speaker.)—27.

Those who voted in the negative, were

Messrs. Bowron, Colley, Cotton, Crandall, Crawford, Cross, Delaney, Flynn, Hazard, Kelsey, King, Leland, Lown, Martin, Nute, Page, Parkinson, Pierce, Pike, Pope, Warren, and Young,—21.

And the question, "shall the main question be now put?"

Having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were,

Messrs. Alden, Barber, Bird, Chase, Clark, Daugherty, W. H. Johnson, Solon Johnson, Juneau, Kerr, Kuehn, Kimball, Meade, Noble, Phelps, Pratt, Reymert, Roys, Thomas, Thorp, Toland, Townsend, Wasson, Wells, and Hobart, (speaker,) —25.

Those who voted in the negative, were

Messrs. Bowron, Colwell, Colley, Cotton, Crandall, Crawford, Cross, Delaney, Flynn, Hazard, Kelsey, King, Leland, Lown, Martin, Nute, Page, Parkinson, Pierce, Pike, Pope, Warren, and Young—23.

And the main question, being on concerning in the amendment of the senate to said bill No. 222, (A.)

Having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Barber, Bird, Chase, Clark, Daugherty, W. H. Johnson, Solon Johnson, Juneau, Kelsey, Kerr, Kuehn, Kimball, Meade, Noble, Phelps, Pratt, Reymert, Roys, Thomas, Thorp, Townsend, Wasson, Wells, and Hobart, (speaker)—24.

Those who voted in the negative, were

Messrs. Alden, Bowron, Colwell, Colley, Cotton, Crandall, Crawford, Cross, Delaney, Flynn, Hazard, King, Leland, Lown, Martin, Nute, Page, Parkinson, Pierce, Pike, Pope, Toland, Warren, and Young,—24.

Mr. Bird, from the committee on claims, reported

No. 257, (A.) A bill to appropriate to the several persons the several sums therein named;

Which was read the first and second times, and the rules being first suspended,

The question, "shall the bill pass?"

Having been put, (three-fifths of the assembly being present,)

Those who voted in the affirmative, were

Messrs. Alden, Barber, Bird, Bowron, Chase, Colwell, Cotton, Clark, Cross, Daugherty, Delaney, Flynn, W. H. Johnson, Solon Johnson, Juneau, Kelsey, Kerr, Kuehn, Kimball, King, Leland, Lown, Martin, Meade, Noble, Nute, Page, Parkinson, Phelps, Pike, Pope, Pratt, Reymert, Roys, Thorp, Toland, Townsend, Warren, Wasson, Wells, Young and Hobart, (speaker,)—43.

Those who voted in the negative, were

Messrs. Colley, Crandall and Crawford—3.

The title of said bill was then agreed to.

Mr. Bowron, from the select committee to whom bill No. 152, (S.) had been referred, reported said bill back to the assembly, with an amendment.

The amendment of the committee to said bill,

Was concurred in.

And the question on the passage of said bill No. 152, (S.)

Having been put, (three-fifths of the members being present,)

It was decided in the affirmative.

Those who voted in the affirmative, were

Messrs. Alden, Barber, Bird, Bowron, Chase, Colwell, Colley, Cotton, Clark, Crandall, Crawford, Cross, Daugherty, Delaney, Flynn, W. H. Johnson, Solon Johnson, Kelsey, Kerr, Kuehn, Kimball, King, Leland, Lown, Martin, Meade, Noble, Nute, Page, Parkinson, Phelps, Pierce, Pike, Pratt, Reymert, Roys, Thorp, Toland, Townsend, Warren, Wells, Young and Hobart (speaker)—44.

Those who voted in the negative, were

Messrs. Juneau and Pope—2.

Mr. Kerr, from the committee on enrolled bills, reported as correctly enrolled

No. 224, (A.) A bill to legalize certain roads in Winnebago county;

No. 216, (A,) A bill relative to seals; and

No. 229, (A.) A bill to authorize the trustees of Plum Grove school district in the town of Cassville, Grant county, to levy a tax to build a school house.

On motion of Mr. Clark,

The assembly adjourned.

FRIDAY, March 30th, 1849.

Prayer by the Rev. Mr. Read.

Mr. Clark moved a call of the house;

Which was ordered.

Messrs. Hill and Willard were reported absent.

Mr. Pierce moved that Mr. Hill be excused.

And the question on excusing Mr. Hill,

Having been put,

The speaker decided that two thirds of the members elect not voting to excuse Mr. Hill,

Mr. Hill is not excused.

Mr. Strong appealed from the decision of the chair.

And the question "shall the decision of the chair be sustained?"

And having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Barber, Chase, Clark, Daugherty, Delaney, W. H. Johnson, Juneau, Kimball, Meade, Noble, Phelps, Pratt, Reymert, Roys, Thomas, Thorp, Toland, Townsend, and Wasson,—19.

Those who voted in the negative were

Messrs. Alden, Bird, Bowron, Colwell, Colley, Cotton, Crandall, Crawford, Cross, Flynn, Hastings, Hazard, Solon Johnson, Kelsey, Kerr, Kuehn, King, Leland, Lown, Martin, Nute, Page, Parkinson, Pierce, Pike, Pope, Rickerson, Rockwell, Strong, Sugden, Warren, Wells, White, Young, and Hobart, (speaker.)—36.

The question then being on excusing Mr. Hill,

Having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Alden, Bird, Colwell, Cotton, Crandall, Cross, Flynn, Hazard, Solon Johnson, Keuhn, King, Lown, Martin, Nute, Page, Pope, Reymert, Rickerson, Rockwell, Strong, Sugden, Warren, and Wells,—23.

Those who voted in the negative were

Messrs. Barber, Bowron, Chase, Colley, Clark, Crawford, Daugherty, Delaney, Hastings, W. H. Johnson, Juneau, Kelsey, Kerr, Kimball, Leland, Meade, Noble, Parkinson, Phelps, Pierce, Pike, Pratt, Roys, Thomas, Thorp, Toland, Townsend, Wasson, White, Young, and Hobart, (speaker,)—31.

Mr. Juneau moved

That the assembly do now adjourn until half past two o'clock, P. M.

And the question on the adoption thereof,

Having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Barber, Bird, Chase, Daugherty, W. H. Johnson, Solon Johnson, Kerr, Kuehn, Kimball, Noble, Nute, Rockwell, Roys, Thorp, Townsend, and Young,—16.

Those who voted in the negative, were

Messrs. Alden, Bowron, Colwell, Colley, Cotton, Clark, Crandall, Crawford, Cross, Delaney, Flynn, Hastings, Hazard, Juneau, Kelsey, King, Leland, Lown, Martin, Meade, Page, Parkinson, Phelps, Pierce, Pike, Pope, Pratt, Reymert, Rickerson, Strong, Sugden, Thomas, Toland, Warren, Wasson, Wells, White, and Hobart, (speaker.)—38.

Mr. Barber moved that further proceedings under the call be dispensed with;

Which was agreed to.

Mr. Kelsey moved that the vote by which the assembly concurred in the amendment of the senate to bill No. 222, (A.) be re-considered.

Mr. Hobart moved that said motion be laid upon the table;

Which was agreed to.

Mr. Barber moved that bill

No. 116. (S,) A bill to provide for the final settlement with the Milwaukee and Rock river canal company;

And the report of the select committee on said bill, be taken up;

Which was agreed to.

Mr. White moved that said bill and report be laid upon the table;

Which was agreed to.

Mr. Bowron, from the select committee to whom the same had been referred, reported in favor of indefinitely postponing bill

No. 252, (A.) A bill to amend an act entitled an act to provide for the improvement of the Fox and Wisconsin rivers, and connecting the same by a canal, approved Aug. 8, 1848.

Mr. White moved that said report be adopted;

Which was agreed to.

The speaker appointed Mr. Toland as a member of the joint select committee on enrolled bills in place of Mr. Willard.

Mr. Hobart presented

Sundry petitions from citizens of La Fayette county on the subject of a removal of the county seat of said county;

Which were referred to a select committee, consisting of the delegation from La Fayette county.

Mr. Daugherty, from the committee of conference on the disagreeing vote of the senate and assembly on No. 160, (S.) submitted the following report:

The committee of conference appointed on the disagreeing vote between the two houses, on No. 160, (S.) most respectfully

REPORT:

That they have had the same under consideration, and a majority of said committee recommend the passage of the bill with the following amendments, to wit:

Amend section two by striking out $207, and insert $166.

Amend section four by striking out $157, and insert $116.

Amend section eight by striking out $157, and insert $116.

To Wm. R. Smith and William Hull each one hundred dollars for preparing the journals of the senate and assembly of the present session, recommend that the senate recede from the section appropriating $150 to chaplinas.

A. BOTKIN,
F. A. SPRAGUE,
Com. of Senate.
SAT. CLARK,
J. DAUGHERTY,
H. S. THORP,
Com. of Assembly.

Which said report was unanimously adopted.

A message from the senate by their chief clerk:

Mr. Speaker:

I am directed to inform you that the senate has concurred in the passage of

No. 167, (A.) A bill to alter the boundaries of the town of Milford in Jefferson county;

No. 174, (A.) A bill to provide for laying out certain roads therein described;

No. 238, (A.) A bill authorizing the governor to draw the five per centum of the nett proceeds of the public lands;

No. 240, (A.) Of marks and brands for horses, cattle, sheep and hogs, and filing chattel mortgages;

No. 241, (A.) Of fences and fence viewers, of pounds and the impounding of cattle;

No. 242, (A.) Of the collection of penalties, forfeitures and fines;

No. 249, (A.) A bill to authorize the inhabitants of school district No. one in the town of Hazle Green in the county of Grant, to raise a tax to build a school house in said district;

No. 248, (A.) A bill concerning the publication of the decisions of the supreme court of the late territory of Wisconsin;

Without amendment. And

No. 118 (A.) A bill to fix the times for holding circuit courts;

With an amendment;

In which the concurrence of the assembly is requested.

And have negatived

No. 245, (A.) A bill to remit certain fines;

And have indefinitely postponed

No. 244, (A.) A bill to lay out and establish a certain road; and

No. 247, (A.) A bill relating to officers bonds, and declaring the extent of liability on the same;

And has adopted the following resolution:

Resolved, by the senate and assembly, That the post master of this place be requested to bring in his account of postage, due him up to this date, and that the resolutions relative to postage be rescinded from and after to-morrow;

In which the concurrence of the assembly is requested.

And has concurred in the adoption of the resolution relative to certain duties to be performed by the secretary of state.

And has concurred in the amendment of assembly to

No. 154, (S.) Of proceedings, as for contempts, to enforce civil remedies, and to protect the rights of parties in civil actions.

And has refused to recede from the ninth amendment of senate to.

No. 101, (A.) A bill in relation to the school and university lands, the sale and superintendence thereof, and the powers and duties of the commissioners of said lands.

And has appointed Messrs. Horn, Williams and Smith a committee of conference on part of the senate on the disagreeing vote of the two houses on said bill No. 101, (A.)

And has concurred in the amendments of assembly to

No. 104, (S.) A bill to appropriate the several sums therein named; and

No. 109, (S.) A bill to pay to Daniel Noble Johnson the sum therein named.

Messages from the senate were then taken up.

The amendments of the senate to said bill No. 118, (A)

Were concurred in.

The resolution in relation to account for postage,

Was concurred in.

The speaker appointed Messrs. Strong, Daugherty and Thorp as a committee of conference on the part of the assembly on the disagreeing vote of the two houses on said bill No. 101, (A.)

On motion of Mr. White,

The assembly adjourned until half past two, P. M.

HALF PAST TWO O'CLOCK, P. M.

The pending question being on re-considering the vote by which the assembly concurred in the amendment of senate to bill No. 222, (A.)

The speaker directed the clerk to correct the journal of yesterday, wherein by a miscount, the vote appearing in favor of concurring in said amendment, so that it may appear from the journal that the vote on concurring in said amendment was decided in the negative, to wit: 24 ayes, 24 noes, which was as appears on examination the vote taken on the question.

The journal was thus corrected.

Mr. Barber moved that bill

No. 116, (S.) A bill to provide for a final settlement with the Milwaukee and Rock river canal company, Be taken from the table,

And that the further consideration thereof be indefinitely postponed;

Which was agreed to.

Mr. Rockwell, from the select committee to whom had been referred bill

No. 239, (A.) Of the rates of toll for grinding;

Submitted the following report, which was accepted, to wit:

The committee to whom was referred bill No. 239, (A.) of the rates of toll for grinding, have had the same under consideration, and a majority of said committee recommend that the enacting clause be stricken from said bill.

D. H. ROCKWELL, *Ch'n.*

Mr. Rockwell moved to amend said bill No. 239, (A.) by striking out the enacting clause.

And the question on the adoption thereof,

Having been put,

It was decided in the negative,

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Barber, Cotton, Clark, Cross, Daugherty, Solon Johnson, Juneau, Kuehn, Kimball, King, Martin, Reymert, Rockwell, Sugden, Wells, Young, and Hobart, (speaker,)—16.

Those who voted in the negative, were

Messrs. Bird, Bowron, Chase, Colwell, Colley, Crandall, Crawford, Flynn, Hazard, W. H. Johnson, Kelsey, Kerr, Leland, Lown, Noble, Nute, Page, Parkinson, Phelps, Pierce, Pike, Pope, Pratt, Rickerson, Roys, Strong. Thomas, Thorp, Toland, Townsend, Warren, Wasson, and White,—33.

Mr. Wells moved that the further consideration of said bill be indefinitely postponed;

Which was disagreed to.

Mr. Nute moved to amend said bill by striking out the first section, and insert in lieu thereof, as follows:

Section 1. The owners or occupiers of all grist mills in this state, moved by water, shall be entitled to the one eighth part of all wheat, rye or other grain ground and bolted or ground and not bolted.

And the question on the adoption thereof,

Having been put,

It was decided in the affirmative.

Mr. Thomas moved that the further consideration thereof be postponed until the first day of July next;

Which was disagreed to.

Mr. Kelsey moved to amend by adding to said section, as follows:

Provided however, Said owner or occupant shall not be permitted to grind his own grain to the exclusion of all other grists when said mill is used and occupied as a grist mill.

And the question on the adoption thereof,

Having been put,

It was decided in the affirmative.

The said bill No. 239, (A.) was read the third time, passed, and the title thereof agreed to.

Mr. Noble, from the select committee appointed to settle with the treasurer, submitted the following report, which was accepted:

MADISON, March 28th, 1849.

We the undersigned, a joint committee of the senate and assembly of the legislature of the state of Wisconsin, appointed to settle with the state treasurer, J. C. Fairchild, would submit the following

REPORT:

That we find in the treasurer's hands vouchers to the amount of fifty thousand four hundred and and thirty-one forty-one one hundredth dollars, and that we have cancelled said vouchers by cutting them through the middle with a cross, and that we have caused J. C. Fairchild, the said state treasurer, to be credited for the above amount on the book of the secretary of state.

ASA KINNEY, *Senate*.
M. L. NOBLE, *Assembly*.

Mr. Bird by leave, introduced

No. 258, (A.) A bill to appropriate to David Holt, Jr., the sum therein named;

Which was read the first and second times.

And the rules having been suspended, was read the third time;

And the question being on the passage of said bill, Mr. Kelsey moved to amend by striking out the second section of said bill.

And the question on the adoption of said amendment,

Having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Colley, Crandall, Crawford, Flynn, Hastings, Kelsey, King, Leland, Lown, Page, Parkinson, Pike, Pratt, Rockwell, Sugden, Toland, and Young,—15.

Those who voted in the negative were

Messrs. Barber, Bird, Bowron, Chase, Cotton, Clark, Cross, Daugherty, Delaney, Hazard, Kimball, Martin, Nute, Phelps, Pierce, Reymert, Roys, Thorp, Warren, Wells, and Hobart, (speaker,)—21.

Mr. Bird moved to amend said bill by adding as follows:

Sec. —— To J. D. Ruggles ninety-one dollars and fifty cents for sixty-one days services as assistant librarian.

Sec. —— To J. R. Brigham twenty-four dollars for writing during the present session.

Sec. —— To Elisha Burdick twenty-four dollars for writing during the present session.

Sec. —— To Tenney, Smith and Holt three dollars and seventy-five cents for publishing governor's proclamation for thanksgiving in the year 1848.

And the question on the adoption thereof,

Having been put,

It was decided in the negative.

The question then recurring on the passage of said bill,

Having been put, (three fifths of the members being present)

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Barber, Bird, Bowron, Chase, Colwell, Colley, Cotton, Clark, Crandall, Cross, Daugherty, Delaney, Flynn, W. H. Johnson, Solon Johnson, Kimball, Martin, Nute, Phelps, Pierce, Reymert, Rockwell, Roys, Strong, Thorp, Toland, Townsend, Warren, and Wells,—29.

Those who voted in the negative, were

Messrs. Crawford, Hastings, Hazard, Kelsey, King, Leland, Lown, Page, Parkinson, Pike, Pope, Pratt, Sugden, Wasson, Young, and Hobart, (speaker,)—16.

Mr. Cross, from the committee on the judiciary to whom the same had been referred, reported

No. 56, (S.) An act to prescribe the terms of the supreme court, and to require the adoption of rules of practice,

Back to the assembly without amendment.

The said bill was then read the third time, passed, and the title thereof agreed to.

Mr. Hazard moved that the report of the joint committee to examine the treasurers accounts, and the report of the treasurer be referred to a select committee of three;

Which was agreed to.

The speaker appointed Messrs. Hazard, Flynn, and Pierce as said committee.

Mr. Hastings, from the joint special committee on enrolled bills reported as follows:

The joint special committee on enrolled bills reported by the revisers and the committee on compilation would report, that they have examined the following named bills and find them correctly enrolled, viz:

No. 136, (S.) Of the incorporation of cemetery associations;

No. 146, (S,) Of masters and apprentices;

No. 142, (S.) A bill concerning weights and measures;

No. 215, (A.) A bill to establish the university of Wisconsin;

No. 133, (S.) An act relating to the partition of lands owned by several persons and on waste;

No. 126, (S.) A bill relating to proceedings against debtors by attachment,

No. 140, (S.) A bill concerning bills of exchange and promissory notes;

No. 211, (A.) A bill to authorize the appointment of commississioners to take the acknowledgement of deeds and other contracts, and depositions in other states;

No. 141, (S.) A bill concerning grand and pettit jurors;

No. 212, (A.) A bill to punish trespass on lands;

No. 190, (A.) A bill in relation to probate courts;

No. 145, (S.) Of guardians and wards,

No. 177, (A.) A bill for the foreclosure of Mortgages by advertisement; and

No. 134, (S.) A bill relative to informations, writs of mandamus and prohibition.

On behalf of the committee.

SAMUEL D. HASTINGS.

The joint special committee on enrolled bills, reported by the revisers and compilers, would report, that they have examined the following named bills, and find them correctly enrolled, viz:

No. 139, (S.) Of the incorporation of companies to construct plank and turnpike roads;

No. 156, (S.) Of proceedings against corporations in courts of law;

No. 231, (A.) A bill supplemental to an act to establish the university of Wisconsin;

No. 228, (A,) A bill to defray the contingent expenses of the Executive office;

No. 227, (A.) A bill for the distribution of the arms of the state;

No. 213, (A.) A bill to provide for the annual meeting of the legislature;

No. 208, (A.) A bill to restrain unauthorized banking;

No. 188, (A.) A bill in relation to printing;

No. 214, (A.) A bill concerning the weighing of lead ore, copper ore, and other mineral substance;

No. 157, (S.) General provisions relating to incorporations;

No. 160, (A.) A bill to prevent forcible entries and detainers; and

No. 162, (A.) A bill on mechanic's and laborer's lien.

On behalf of the committee.

SAMUEL D. HASTINGS.

Mr. Thomas from the select committee to whom was referred

No, 70, (A.) A bill to prevent imposition in the sale of medicines,

Reported the same back to the assembly recommending that the enacting clause thereof be striken out.

And the question being on the adoption of the report of the committee,

Mr. Pratt moved that the further consideration thereof be indefinitely postponed;

Which was disagreed to.

Mr. Bowron moved that the said bill and report be laid upon the table;

Which was agreed to.

Mr. Cross, from the judiciary committee to whom was referred

No. 56, (S.) An act to amend an act entitled an act to prescribe the mode of proceeding in chancery,

Reported the same back to the assembly without amendment, recommending the passage thereof,

And the question being on ordering the said bill to be read the third time,

And the rules having first been suspended for that purpose,

The said bill was read the third time, passed, and the title thereof agreed to.

Mr. Delaney moved that the vote by which the said bill No. 54, (S.) was passed, be re-considered;

Which was agreed to.

And the question being on the passage of the same,

Mr. Delany moved that said bill be referred to the committee on the judiciary;

Which was agreed to.

A message from the senate by their chief clerk:

MR. SPEAKER:

I am directed to inform you that the senate has concurred in the passage of

No. 162, (S.) A bill to provide for recording contracts relating to land;

No. 185, (A.) A bill relating to mills and mill dams,

Without amendments.

And have concurred in the second amendment of assembly to bill

No. 104, (S.) A bill to appropriate the several sums therein named.

And have non-concurred in the first amendment of assembly to said bill.

And have re-considered the vote on the indefinite postponement of

No. 244, (A.) A bill to lay out and establish a certain road.

And that senate has passed said bill without amendment.

And has passed

No. 153, (S.) A bill to appropriate the several sums therein named; and

No. 129, (S.) Of normal schools;

In which the concurrence of the assembly is requested.

And has concurrsd in the passage of

No. 256, (A.) A bill to appropriate to the several persons the sums therein named; and

No 235, (A.) A bill providing for superintending the publication of the revised statutes,

With amendments;

In which the concurrence of the assembly is requested.

And that senate has refused to adopt the report of the committee of conference on the disagreeing vote of the two houses on bill

No. 160, (S.) A bill to pay the several persons therein mentioned.

And has appointed Messrs. Gardner, Merrill and Smith a committee of conference on the disagreeing vote of the two houses on the said report.

I am directed to inform you that senate has passed

No. 120, (S.) A bill to change the name of Catharine Tramback to that of Catharine Kroeger, and to make her the heir at law of Henry Kroeger and Bernadina Kroeger; and

No. 26, (S.) A bill to change the name of John Tramback to that of John Stoeverker, and to make him the heir at law of Bernard Stoeverker and Francisca his wife;

In which the concurrence of the assembly is requested.

And that senate has insisted on its amendment to

No. 222, (A.) A bill on general provisions concerning husband and wife.

And has appointed Messrs. Chase and Horn a committee of conference on the part of the senate on the disagreeing vote of the two houses on said bill No. 222.

Mr. Cross, from the committee on compilation, reported

No. 259, (A.) A bill prescribing the time when certain acts therein specified shall take effect, and providing for the publication thereof;

Which was read the first and second times.

Mr. Hobart moved that said bill be referred to a select committee of three;

Which was agreed to.

The speaker appointed Messrs. Daugherty, White and Rockwell as said committee.

The message from the senate was then taken up. And

No. 162, (S.) A bill to provide for recording contracts relating to land,

Which was read the first and second times, and

The rules having first been suspended, was read the third time, passed, and the title thereof agreed to.

The assembly receded from its second amendment to bill

No. 104, (S.) A bill to appropriate the several sums therein named;

No. 153, (S.) A bill to appropriate the several sums therein named;

Was read the first and second times, rules being first suspended, read the third time;

And the question "shall the bill pass !"

Having been put, (three-fifths of the members being present,)

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Alden, Barber, Bird, Bowron, Chase, Colwell, Cotton, Clark, Crandall, Crawford, Cross, Daugherty, Delaney, Flynn, Hastings, Hazard, W. H. Johnson, Kelsey, Kerr, Keuhn, Kimball, King, Leland, Lown, Martin, Meade, Nute, Page, Parkinson, Phelps, Pierce, Pike, Pope, Pratt, Roys, Strong, Sugden, Thomas, Thorp, Toland, Warren, Wasson, Wells, White, Young, and Hobart, (speaker,)—46.

Those who voted in the negative, were

Messrs, Colley and Rockwell,—2.

The said bill

No. 129, (S.) Of normal schools,

Was read the first and second times.

Mr. Hobart moved that said bill be referred to a select committee of three;

Which was agreed to.

The speaker appointed Messrs. Strong, Rickerson and Wells as said committee.

The amendments of the senate to said bills No. 256 and 235, (A.) were concurred in.

No. 120, (S.) A bill to change the name of Catherine Framback to that of Catherine Kroeger, and to make her the heir at law of Henry Kroeger and Bernardina Kroeger; and

No. 26. (S.) A bill to change the name of John Framback to that of John Stoeverker, and to make him the heir at law of Bernard Stoverker and Francisca his wife;

Were severally read the first and second times, and

The rules being suspended, were read the third time, severally passed, and the titles thereof severally agreed to.

The speaker appointed Messrs. Strong and Daugherty as a committee of conference on the part of the assembly on the disagreeing vote of the two houses on bill No. 222, (A.) and

Messrs. Delaney, Bowron and Townsend as a committee of conference on the disagreeing vote of the two houses on bill No. 160, (S.) and the disagreeing vote of the two houses on the report of the committee of conference heretofore appointed on said bill.

Mr. Daugherty, from the select committee to whom the same had been referred, reported back to the assembly bill

No. 259, (A.) A bill prescribing the time when certain acts therein named shall take effect, and providing for the publication thereof,

Without amendment;

Recommending the passage thereof.

The said bill was then read the third time, passed, and the title thereof agreed to.

The question being on the passage of bill

No. 129, (S.) Of normal schools,

Having been put,

It was decided in the negative.

On motion of Mr. Strong,

The assembly adjourned.

SATURDAY, March 31st, 1849.

Prayer by the Rev. Mr. Lord.

Mr. Hastings, by leave, introduced

No. 260, (A.) A bill to appropriate to J. R. Brigham the sum therein named;

Which was read the first and second times.

Mr. Noble moved that the further consideration of said bill be indefinitely postponed;

Which was agreed to.

Mr. Delaney, from the committee on the judiciary, to whom the same had been referred, reported back to the assembly bill

No. 54, (S.) An act to amend an act entitled an act to prescribe the mode of proceeding in chancery,

And the question being on the passage thereof,

Having been put,

It was decided in the affirmative.

Mr. Strong, from the committee on the judiciary, reported

No. 261. (A.) A bill to authorize the village of Sheboygan to aid in the construction of a road;

Which was read the first and second times, and the rules having been suspended, was read the third time, passed, and the title thereof agreed to.

Mr. Kerr, from the committee on enrolled bills, reported as correctly enrolled

No. 98, (A.) A bill concerning divorces; and

No. 159, (S.) A bill to appropriate the several sums therein named.

Mr. Delaney, from the committee of conference on the disagreeing vote of the two houses on bill No. 160, (S.) submitted the following report, which was adopted, to wit:

The committee of conference appointed on the disagreeing vote between the two houses on bill No. 160, (S.) respectfully

REPORT:

That they have had the same under consideration and unanimously recommend the passage of the bill with the following amendments, to wit:

Amend section 2, by striking out $207 and inserting $166.

Amend section 4, by striking out $157 and inserting $116.

Amend section 8, by striking out $157 and inserting $116.

Amend section 19, by striking out $50 and inserting $40.

Amend section 5, by striking out $124 and inserting $166.

The committee would recommend the addition of a section as follows:

Sec. —— To Wm. R. Smith and Wm. Hull, each $50 for preparing the journals of the senate and assembly of the present session for publication.

Amend section 6, by striking out $72 50-100th and inserting $124.

Amend by senate receding from the section appropriating $150 to chaplains.

JOHN DELANEY,
E. T. GARDNER,
Joint committee.

Mr. Strong, from the committee of conference on the disagreeing vote of the two houses on bill No. 222, (A.) submitted the following report:

The majority of the committee of conference on the disagreeing vote of the two houses on bill No. 222, (A.) report, recommending that the assembly concur in the amendment of the senate to said bill.

W. CHASE,
F. W. HORN,
J. DAUGHERTY.

And the question being on the adoption of said report,

Having been put,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative; were

Messrs. Barber, Bird, Chase, Clark, Daugherty, Hastings, W. H. Johnson, Solon Johnson, Kerr, Kuehn, Kimball, Meade, Noble, Phelps, Pratt, Reymert, Roys, Thomas, Thorp, Toland, Townsend, Wasson, White, and Hobart, (speaker.)—24.

Those who voted in the negative, were

Messrs. Alden, Bowron, Colwell, Colley, Cotton, Crawford, Cross, Delaney, Dick, Flynn, Hazard, Kelsey, King, Leland, Lown, Martin, Nute, Page, Parkinson, Pierce, Pike, Pope, Rickerson, Rockwell, Strong, Sugden, Warren, Wells, and Young,—29.

A message from the senate by their chief clerk:

Mr. SPEAKER:

I am directed to inform you that the senate has concurred in the passage of

No. 255, (A.) A bill authorizing certain suits on behalf of the state to be instituted in any county;

No. 254, (A.) An act for the payment of the mileage and per diem of the electors of president and vice-president of the United States for the state of Wisconsin;

No. 253, (A.) A bill to appropriate the several sums therein named;

No. 251, (A.) A bill to extend the time for collecting the taxes in certain towns in the county of Brown for the year 1848;

No. 171, (A.) A bill granting certain privileges to Robert Tofflemire and associates,

Without amendment.

And has concurred in the passage of

No. 257, (A.) A bill to appropriate to the several persons the several sums therein named;

No. 193, (A.) A bill to repeal all the acts which are consolidated in the revised statutes;

With amendments to each.

In which the concurrence of the assembly is requested.

And that the senate has adopted the report of the committee of conference an the disagreeing vote of the two houses on the report of the committee of conference on bill

No. 160, (A.) A bill to pay the several persons the several sums therein named;

With an amendment,

In which the concurrence of the assembly is requested.

And has adopted the report of the committee of conference on the disagreeing vote of the two houses on.

No. 222, (A.) A bill in relation to general provisions concerning husband and wife.

Messages from the senate were taken up.

The amendmendment of the senate to said bills No. 257 and 193, (A.)

Were concurred in.

The amendment of the senate to the report of the committee of conference on the disagreeing vote of the two houses on bill No. 160, (S.)

Was non-concurred in.

Mr. Bird, by leave, introduced

No. 262, (A.) A bill to appropriate to the several persons the several sums therein named;

Which was read the first and second times, and the rules having been first suspended, was read the third time,

And the question, "shall the bill pass?"

Having been put, (three-fifths of the assembly being present,)

It was decided in the affirmative.

Those who voted in the affirmative, were

Messrs. Bird, Bowron, Chase, Colwell, Cotton, Cross, Daugherty, Solon Johnson, Juneau, Kerr, Kimball, King, Leland, Martin, Meade, Noble, Nute, Page, Phelps, Pierce, Pope, Reymert, Rickerson, Roys, Strong, Thorp, Toland, Wasson, Wells, White and Hobart, (speaker,)—30.

Those who voted in the negative, were

Messrs. Colley, Crawford, Delaney, Dick, Hastings, Hazard, W. H. Johnson, Kelsey, Parkinson, Pike, Pratt, Sugden, Warren, and Young,—14.

A message from the senate by their chief clerk:

MR. SPEAKER:

I am directed to inform you that the senate has concurred in the passage of

No. 259, (A.) A bill prescribing the time when certain acts therein named shall take effect and providing for the publication thereof,

With amendments,

In which the concurrence of the assembly is requested.

The messages from the senate were taken up, and

The amendments of the senate to said bill No. 259, (A.)

Were concurred in.

Mr. Kerr, from the committee on enrolled bills, submitted the following report:

The committee on enrolled bills report that they have this day presented to his excellency, the governor, for his approval

An act to incorporate the Watertown academy;

An act to punish trespass on university and school lands;

An act concerning navigable rivers:

An act to amend an act entitled an act to incorporate the Southport and Beloit Road Company;

Joint resolution relative to the military reserve at Fort Winnebago;

An act to appropriate to the county of St. Croix the sum therein named;

An act to provide for the payment of certain persons therein named;

An act of libraries and lyceums;

An act of the racing of animals;

An act concerning county surveyors;

An act of the preservation of the public health;

An act relating to private nuisances, and general provisions relating to actions concerning real estate;

An act in relation to the distribution of the income of the school fund;

An act concerning religious societies;

An act concerning marriages;

An act concerning the crime of seduction;

An act to authorize the construction of a bridge across Nepasink lake;

An act to amend an act to organize the county of Manitowoc for judicial purposes, approved March 2, 1848;

An act to provide for laying out and establishing certain roads therein named;

An act to appropriate the several sums therein named;

An act in relation to medical societies, and for the promotion of medical science;

An act to authorize the trustees of Plum Grove school district in the town of Cassville, Grant county, to levy a tax to build a school house;

An act to authorize the construction of a dam across the Peckatonica river in La Fayette county;

An act to enable the town of Janesville, in the county of Rock, to apply the moneys raised for licenses granted for the sale of ardent spirits in said town for the support of the poor;

An act to legalize certain roads in Winnebago county;

An act to authorize the electors of LaFayette county to vote on the removal of the county seat;

An act to provide for laying out certain roads therein described;

An act relative to seals; and

An act concerning the money of account.

Mr. Strong moved that the further consideration of bill

No. 91, (S.) A bill in relation to county officers,

Be indefinitely postponed;

Which was agreed to.

Mr. Toland moved that the assembly adjourn until three o'clock;

Which was disagreed to.

On motion of Mr. Toland,

The assembly adjourned until half past two, P. M.

HALF PAST TWO O'CLOCK, P. M.

A message from the senate, by their chief clerk:

MR. SPEAKER:

I am directed to inform you that the senate has receded from its amendment to to tho report of the committee of conference on

No. 160, (S.) A bill to pay the several persons the several sums therein mentioned;

And that senate has passed

No. 163, (S.) A bill to appropriate certain sums therein named;

No. 164, (S.) A bill to appropriate the sums therein named; and

No. 122, (S.) A bill to divide the towns of Vienna and Westport;

And has receded from its amendments to

Resolutions of assembly instructing the Hon. I. P. Walker to resign his seat as United States senator;

And has adopted the following resolution:

Resolved, by the senate and assembly, That in all incidental printing hereafter to be done for the state, until a different rule is established, the following specifications shall be observed:

The composition of all bills shall count what they measure, and no more, except that fractional pages shall count as full pages.

No more paper shall be paid for than is actually used.

Deductions shall be made where the work is forced out to an unnecessary extent.

No more than two blank pages shall be allowed for at the end of every report or other document printed in octavo form.

Double price shall be allowed for rule and figure work.

The size of all paper to be used shall be specified in the contract.

In which the concurrence of the assembly is requested.

And has concurred in the passage of

No. 27, (A.) A bill to provide for the enrolling of the militia,

With amendments.

In which the concurrence of the assembly is requested.

And has concurred in the passage of

No. 258, (A.) A bill to appropriate to David Holt, Jr., the sum therein named;

No. 239, (A.) Of the rates of toll for grinding; and

No. 261, (A.) A bill to authorize the village of Sheboygan to aid in the construction of a road,

Without amendment.

The messages from the senate were taken up.

The said bill No. 122, (S.) was read the first and second times and the rules having been first suspended, was read the third time, passed, and the title thereof agreed to.

The said bill No. 163, (S.) was read the first and second times, and the rules having been suspended, was read the third time,

And the question being on the passage thereof,

Mr. Alden moved to amend by striking out the words "three hundred," and insert "one hundred,"

And the question being on the adoption of said amendment,

Having been put,

It was decided in the affirmative.

And the question recurring on the passage of the said bill,

Having been put, (three fifths of the assembly being present,)

It was decided in the affirmative.

Those who voted in the affirmative were

Messrs. Alden, Barber, Bird, Chase, Colwell, Colley, Clark,

W. H. Johnson, Kerr, Keuhn, King, Martin, Noble, Nute, Page, Parkinson, Phelps, Pierce, Pike. Pope, Reymert, Roys, Sugden, Thorp, Toland, Warren, Wells, White and Young—29,

Those who voted in the negative were

Messrs. Cotton, Crawford, Cross, Delaney, Flynn, Hastings, Solon Johnson, Kelsey, Leland, Pratt, Rockwell and Strong —12.

The title of said bill was then agreed to.

The said bill No. 164, (S.(was read the first and second times, and the rules having first been suspended, was read the third time,

And the question being on the passage thereof,

Mr. Reymert moved to amend by striking out the words "nine hundred and ninety-seven," and insert " thirteen hundred and three dollars and fifty-one cents."

And the question on the adoption of said amendment,

Having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Alden, Barber, Bird, Chase, Colwell, Colley, Cotton, Clark, Crawford, Cross, Flynn, Hastings, W. H. Johnson, Kelsey. Kerr, King, Leland, Martin, Nute, Page, Parkinson, Phelps, Pope, Pratt, Reymert, Rockwell, Roys, Strong, Warren, Wells, White, Young, and Hobart, (speaker,)—34.

Those who voted in the negative, were

Messrs. Delaney, Keuhn, Noble, Pierce, Pike, Sugden. Thorp, and Toland,—9.

And the question recurring on the passage of said bill,

Having been put, (three-fifths of the assembly being present,)

It was decided in the affirmative.

Those who voted in the affirmative, were

Messrs. Alden, Barber, Bird, Chase, Colley, Colwell, Cotton, Clark, Crawford, Cross, Flynn, Hastings, W. H. Johnson, Solon Johnson, Kelsey, Kerr, King, Leland, Martin, Nute, Page, Parkinson, Phelps, Pierce, Pope, Pratt, Reymert, Rockwell, Roys, Strong, Thorp, Warren, Wells, White, and Young. —35.

Those who voted in the negative, were

Messrs. Delaney, Kuehn, Noble, Pike, Sugden, and Toland, —6.

The title of said bill was then agreed to.

The amendments of the senate to said bill No. 27, (A.)

Were concurred in.

The resolution of the senate in regard to public printing,

Was concurred in.

Mr. Strong, by leave, introduced

No. 263, (A.) A bill to pay Robert W. Lansing;

Which was read the first and second times, and the rules having first been suspended, was read third time,

And the question being on the passage thereof,

Having been put, (three-fifths of the members being present,)

It was decided in the affirmative.

Those who voted in the affirmative, were

Messrs. Alden, Barber, Bird, Chase, Colwell, Colley, Cotton, Clark, Crawford, Cross, Flynn, Hastings, W. H. Johnson, Solon Johnson, Kelsey, Kerr, Kuehn, King, Leland, Martin, Noble, Nute, Page, Parkinson, Phelps, Pierce, Pike, Pope, Pratt, Reymert, Rockwell, Roys, Strong, Sugden, Thorp, Toland, Warren, Wells, White and Young—40.

None voting in the negative.

Mr. Clark, by leave, introduced

No. 264, (A.) A bill to distribute the statutes and journals;

Which was read the first and second times, and the rules first having been suspended, was read the third time, passed, and the title thereof agreed to.

Mr. Hobart introduced the following resolution, which was adopted:

Resolved, (the senate concurring,) That in our opinion the law authorizing the issue of warrants by the secretary of state upon appropriations made is yet in force.

Mr. Delaney introduced the following resolution, which was adopted, to wit:

Resolved, That the chief clerk of the assembly be directed to furnish the assistant clerk with all the journals, minutes and papers in his hands, and necessary to the preparing of the journal of the assembly for publication, at the present session, so as to place the assistant clerk in possession of the same facilities for preparing said journal as the chief clerk now has.

Mr. Barber introduced

No. 265, (A.) A bill establishing the time of holding the circuit courts in Columbia county;

Which was read the first and second times, and the rules first having been suspended, was read the third time, passed, and the title thereof agreed to.

A message from the senate by their chief clerk:

MR. SPEAKER:

I am directed to inform you that the senate has concurred in the passage of

No. 264, (A.) A bill to distribute the statutes and journals;

Without amendments.

And has concurred in the following resolution.

Resolved, (the senate concurring,) That in our opinion the law authorizing the issue of warrants by the secretary of state upon appropriations made is yet in force.

And has adopted the following resolution:

Resolved, by the senate and assembly, That the enrolling committee is authorized to change the words "first Monday in October," and insert "third Monday in September" in the second section of the act fixing the times of holding circuit courts, where they prescribe the time for holding the circuit court in the county of Columbia,

In which the concurrence of the assembly is requested.

And has concurred in the passage of

No. 265, (A.) A bill establishing the time of holding the circuit courts in Columbia county,

Without amendment; and in

No. 262, (A.) A bill to appropriate to the several persons the several sums therein named;

With amendments,

In which the concurrence of the assembly is requested.

Mr. Wells introduced the following resolution, which was adopted, to wit:

Resolved, by the senate and assembly, That the secretary of state shall be authorized to employ a clerk in his office, and that the expense of the employment of such clerk be paid out of the state treasury, at a sum not to exceed $300 in any year.

The message from the senate was taken up.

The amendments of the senate to bill No. 262, (A.)

Were non-concurred in.

The resolution in relation to the correction of a bill by the joint enrolling committee,

Was concurred in.

Mr. Toland introduced the following resolution, which was adopted, to wit:

Resolved, That the examining committee be increased by adding three members thereto.

The speaker appointed Messrs. Chase, Warren and Crawford as said committee.

Mr. Kerr, from the committee on enrolled bills, reported as correctly enrolled

No. 253, (A.) An act to pay the commissioners to revise the laws and their clerk;

No. 236, (A.) A bill to authorize James B. Miller to keep and maintain a ferry across the Wisconsin river;

No. 167, (A.) A bill to alter the boundaries of the town of Milford in Jefferson county;

No. 249, (A.) A bill to authorize the inhabitants of school district No. one in the town of Hazle Green in the county of Grant, to raise a tax to build a school house in said district;

No. 238, (A.) A bill authorizing the governor to draw the five per centum of the nett proceeds of the public lands;

No. 45, (A.) An act to appropriate to H. A. Tenney the sum therein named;

No. 237, (A.) A bill to authorize the board of supervisors of Sheboygan county to erect county buildings;

No. 248, (A.) A bill concerning the publication of the decisions of the supreme court of the late territory of Wisconsin,

No. 244, (A.) A bill to lay out and establish a certain road,

No. 233, (A.) A bill to incorporate the Free Congregational Church of the city of Milwaukee;

No. 232, (A.) A bill to authorize school district No. 7, in the town of Ottawa, Waukesha county, to levy a tax to build a school house;

No. 209, (A.) A bill to declare Waukesha county jail the states' prison, until otherwise provided by law;

No. 234, (A.) A bill to authorize James Weaver and others to build a dam;

No. 256, (A.) A bill to appropriate to the several persons the sums therein named;

No. 219, (A.) A bill concerning public shows and exhibitions; and

No. 218, (A.) A bill concerning timber and lumber floating upon adjoining water and carried upon adjoining lands;

And that said committee have this day presented to his excellency the governor, for his approval,

An act to appropriate the several sums therein named;

An act to provide for levying a state tax;

An act to pay to Daniel Noble Johnson the sum therein named;

An act to legalize the organization of school district No. 1, in the town of Summit;

An act to pay William Doughty the interest on five bonds issued by the territory of Wisconsin;

An act to pay the several persons the several sums therein named;

An act for the relief and support of the poor.

Mr. Kerr, from the same committee, further reported—

The committee on enrolled bills report that they have this day presented to his excellency, the governor, for his approval

An act to incorporate the Free Congregational church of the city of Milwaukee;

An act to pay the commissioners to revise the laws and their clerk;

An act to authorize James B. Miller to keep and maintain a ferry across the Wisconsin river;

An act to authorize James Weaver and others to build a dam;

An act to incorporate the Jefferson county normal school;

An act to alter the boundaries of the town of Milford in Jefferson county;

An act to authorize school district No. 7, in the town of Ottawa, Waukesha county, to levy a tax to build a school house;

An act concerning the publication of the decisions of the supreme court of the late territory of Wisconsin;

An act to declare the county jail of Waukesha county the states prison until otherwise provided by law;

An act to authorize the board of supervisors of Sheboygan county to erect county buildings;

An act to appropriate to H. A. Tenney the sum therein named;

An act authorizing the governor to draw the five per centum of the nett proceeds of the public lands;

An act to authorize the inhabitants of school district No. 1, in the town of Hazel Green in the county of Grant, to raise a tax to build a school house in said district;

An act to establish and lay out a certain road;

An act on divorce;

An act in relation to crimes and the punishment thereof;

An act to appropriate to the several persons the several sums therein named;

An act of the action of ejectment;

An act to prescribe the terms of the supreme court and to require the adoption of rules of practice;

An act of proceedings, as for contempts, to enforce civil remedies, and to protect the rights of parties in civil actions;

An act to provide for tribunals of conciliation in and for the several towns in this state and the regulation thereof.

The committee on enrolled bills report that they have examined

No. 196, (A.) A bill to enable the town of Janesville in the county of Rock, to apply the monies raised from licenses granted for the sale of spirituous liquors in the said town to support the poor;

No. 225, (A.) A bill to authorize the construction of a dam across the Pecatonica river in La Fayette county;

No. 93, (A.) A bill to authorize the electors of La Fayette county to vote on the removal of the county seat;

No. 106, (A.) A bill for laying out certain roads therein described;

No. 223, (A.) A bill concerning the money of account;

No. 191, (A.) A bill in relation to medical societies, and for the promotion of medical science.

And find them correctly enrolled.

The committee on enrolled bills reported that they have examined

No. 190, (A) A bill to provide for tribunals of conciliation in and for the several towns in this state and the regulation thereof;

No. 117, (A.) A bill in relation to crimes and the punishment therefor;

And find them correctly enrolled.

The committee on enrolled bills report that they have examined

No. 109, (S.) A bill to pay to Daniel Noble Johnson the sum therein named;

No. 88, (S.) A bill to legalize the organization of school district No. 1, in the town of Summit;

No. 152, (S.) A bill to provide for levying a state tax.;

No. 161, (S.) A bill to pay William Doughty the interest on five bonds issued by the territory of Wisconsin;

No. 137, (S.) Of the relief and support of the poor;

And find them correctly enrolled.

On motion of Mr. Flynn,

The assembly adjourned until half past seven o'clock, P. M.

HALF PAST SEVEN O'CLOCK, P. M.

A message from the senate, by their chief clerk:

MR. SPEAKER:

I am directed to inform you that the senate has concurred in the amendment of assembly to

No. 164, (S.) A bill to appropriate the sums therein named;

And has concurred in the passage of

No. 263, (A.) A bill to pay Robert W. Lansing;

Without amendment.

And has concurred in the passage of

No. 172, (A.) A bill to change the name of the town of Lexington and village of Dartford and to vacate the alleys in said village,

With amendments.

In which the concurrence of the assembly is requested.

And that the senate insists on its amendments to

No. 262, (A.) A bill to appropriate to the several persons the several sums therein named;

And have appointed Messrs. Cothren and Chase a committee of conference on the part of the senate on the disagreeing vote of the two houses on said bill.

The message from the senate was taken up.

The amendments of the senate to said bill No 172, (A.)

Were concurred in.

Mr. Strong moved that a committee of conference on the part of the assembly be appointed on the disagreeing vote of the two houses on No. 262, (A.) whereupon

The speaker appointed Messrs. Strong and Bird as said committee.

Mr. Wells, by leave, introduced

No. 266, (A.) A bill to appropriate the several sums therein named;

Which was read the first and second times, and the rules having first been suspended, was read third time,

And the question "shall the bill pass?"

Having been put, (three-fifths of the members being present,)

It was decided in the affirmative.

Those who voted in the affirmative, were

Messrs. Barber, Chase, Colley, Cotton, Clark, Crandall, Crawford, Cross, Daugherty, Delaney, Flynn, Hastings, Hazard, W. H. Johnson, Solon Johnson, Kelsey, Kerr, Kuehn, Kimball, Leland, Lown, Martin, Noble, Nute, Page, Parkinson, Phelps, Pierce, Pike, Pope, Pratt, Reymert, Rickerson, Roys, Strong, Sugden, Thorp, Toland, Townsend, Warren, Wasson, Wells, and Young—43.

Mr. King voted in the negative.

Mr. Kelsey moved that bill

No. 70, (A.) A bill to prevent imposition in the sale of medicines,

Be taken from the table;

Which was agreed to.

Mr. Wells moved that the further consideration of said bill be indefinitely postponed.

And the question on the adoption thereof,

Having been put,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Barber, Bird, Colwell, Cotton, Clark, Crandall, Daugherty, W. H. Johnson, Keuhn, Kimball, King, Leland, Martin, Noble, Phelps, Pierce, Pope, Pratt, Reymert, Rickerson, Strong, Thorp, Townsend, Warren, and Wells,—25.

Those who voted in the negative, were

Messrs, Alden, Chase, Colley, Crawford, Cross, Delaney, Hastings, Hazard, Solon Johnson, Juneau, Kelsey, Lown, Meade, Nute, Page, Parkinson, Pike, Roys, Sugden, Toland, Wasson, and Young,—21.

A message from the senate by their chief clerk :

Mr. SPEAKER :

I am directed to inform you that the senate has adopted the report of the committee of conference on the disagreeing vote of the two houses on

No. 262, (A.) A bill to appropriate to the several persons the several sums therein named;

And has concurred in the passage of

No. 266, (A.) A bill to appropriate to the several persons the several sums therein named,

With amendments,

In which the concurrence of the assembly is requested.

And that the senate has non-concurred in the amendments of the assembly to

No. 163, (S.) A bill to appropriate certain sums therein named;

And has appointed Messrs. Sholes and Smith a committee of conference on the disagreeing vote of the two houses on said bill,

I am requested to ask that the assembly return bill

No. 258, (A.) A bill to appropriate to David Holt, Jr., the sum therein named,

For further action.

Mr. Hastings, from the joint special committee on enrolled bills, submitted the following report:

The joint special committee on enrolled bills, reported by the revisers and compiling committee, would report, that they have examined the following named bills, and find them correctly enrolled, viz.:

No. 163, (A.) A bill concerning the proceedings in chancery;

No. 185, (A.) A bill relating to mills and mill dams;

No. 220, (A.) A bill concerning the incorporation of villages;

No. 145, (S.) Of proceedings, as for contempts, to enforce civil remedies, and to protect the rights of parties in civil actions;

No. 259, (A.) A bill prescribing the time when certain acts therein specified shall take effect, and providing for the publication thereof;

No. 240, (A.) Of marks and brands for horses, cattle, sheep and hogs, and filing chattel mortgages;

No. 242, (A.) Of the collection of penalties, forfeitures and fines.

On behalf of the committee.

SAMUEL D. HASTINGS.

The message from the senate was taken up.

The amendments of the senate to bill

No. 266, (A.) A bill to appropriate to the several persons the several sums therein named,

Were severally concurred in.

Mr. Strong moved that a commtttee of conference on the part of the assembly be appointed on the disagreeing vote of the two houses on bill No. 262, (A.) whereupon

The speaker appointed Messrs. Strong and Colwell as said committee.

On motion of Mr. Strong,

The assembly adjourned until Monday morning at 6 o'clock, A. M.

MONDAY, April 2d, 1849.

Mr. Barber introduced the following resolution, to wit:

Whereas, By a resolution of the assembly adopted on Saturday the 31st day of March last, the chief clerk of the assembly was directed to deliver over to William Hull all minutes, papers, &c. in his possession, and necessary for preparing the journals for publication: and

Whereas, From the 20th day of February last, up to the close of the session, the reading of the journals have been dispensed with: therefore

Resolved, by the assembly, That the chief clerk shall not be held accountable for any mistakes or errors in the journals of the assembly from the same 20th day of February last.

Mr. Delaney moved to amend the resolution, as follows:

Add to the resolution the following: " unless the same shall have been made by him in the papers or minutes delivered to said Hull;"

Which was agreed to.

The resolution as amended, was adopted.

Mr. Toland introduced the following joint resolution, which was adopted:

Resolved, by the senate and assembly, That the secretary of state be, and he is hereby instructed to transmit through the mail to each member of the legislature, a copy of such laws passed at the present session, as are to be published in pamphlet form.

Mr. Kerr, from the committee on enrolled bills, submitted the following report:

The committee on enrolled bills report that they have examined and find correctly enrolled,

No. 104, (S.) A bill to appropriate the several sums therein named;

No. 241, (A.) Of fences and fence viewers, of pounds and the impounding of cattle;

Joint resolutions instructing the Hon. Isaac I. Walker to resign his seat in the United States senate;

No. 261, (A.) A bill to authorize the village of Sheboygan to aid in the construction of a road;

No. 258, (A.) A bill to appropriate to David Holt, Jr., the sums therein named;

No. 175, (A.) An act for revising and consolidating the general statutes of the state of Wisconsin;

No. 265, (A.) A bill establishing the time of holding the circuit courts in Columbia county;

No. 172, (A.) A bill to change the name of the village of Dartford in the county of Marquette;

No. 118 (A.) A bill to fix the times for holding circuit courts;

No. 263, (A.) A bill to pay Robert Lansing;

No. 226, (A.) A bill concerning costs and fees,

No. 264, (A.) A bill to distribute the statutes and journals;

No. 172, (A.) A bill to change the name of the town of Lexington in the county of Marquette;

No. 142, (A.) A bill to vacate a part of the plat of the village of Dartford in the county of Marquette;

No. 101, (A.) A bill in relation to the school and university lands, the sale and superintendence thereof, and the powers and duties of the commissioners of said lands,

No. 193, (A.) A bill to repeal all the acts which are consolidated in the revised statutes;

No. 178, (A.) A bill concerning judgments and executions; and

No. 182, (A.) A bill concerning the courts held by justices of the peace,

Mr. Kerr, from the same committee reported further, that they this day presented to his excellency the governor for his approval,

An act to appropriate to the several persons the several sums therein named;

An act concerning proceedings in chancery;

An act on the collection of penalties, forfeitures and fines;

An act concerning timber and lumber floating upon adjoining waters and carried upon adjoining lands;

An act concerning public shows and exhibitions;

Joint resolution instructing the Hon. Isaac P. Walker to resign his seat as United States senator.

Mr. Hastings, from the special enrolling committee presented the following report:

The committee on enrolled bills reported by the revisers and the committee on compilation would report, that they have examined

No. 132, (S.) General provisions concerning courts and the powers and duties of certain judicial officers; and

No. 241, (A.) Of fence viewers, of pounds and the impound of cattle;

And find the same correctly enrolled.

SAMUEL D. HASTINGS.

On behalf of the committee.

Mr. Wells introduced the following resolution, which was adopted, to wit:

Resolved, That the chief clerk be directed to inform the senate that the assembly has finished the business before it, and is now ready to adjourn.

A message from the senate by their chief clerk:

MR. SPEAKER:

I am directed to inform you that the senate has adopted the following:

Resolved, by the senate and assembly, That a committee of one from each house be appointed to notify the governor that the legislature have completed the business before them, and enquire of his excellency if he has any further communication to make.

And has appointed Mr. Chase as a joint committee on part of the senate for such purpose.

The message from the senate was taken up.

The joint resolution of senate,

Was concurred in.

The speaker appointed Mr. Barber as the committee on the part of the assembly under the resolution.

Mr. Chase introduced the following resolution, which was adopted, to wit:

Resolved, That the unfeigned thanks of the assembly are tendered to Messrs. Strong and Cross, for their energy and zeal as members of the compiling committee.

A message from the governor, by George P. Delaplaine Esq. his private secretary.

EXECUTIVE DEPARTMENT,
March 31st, 1849.

To the Assembly:

I have this day, approved, signed and deposited in the office of the secretary of state, acts of the following titles, to wit:

An act concerning religious societies;

An act concerning the money of account.

An act to provide for laying out certain roads therein described;

An act to authorize the electors of LaFayette county to vote on the removal of the county seat;

An act to legalize certain roads in Winnebago county;

An act to enable the town of Janesville in the county of Rock, to apply the monies received for licences granted for the sale ardent spirits in said town to the support of the poor;

An act to authorize the trustees of Plum Grove school district in the town of Cassville, Grant county, to levy a tax to build a school house;

An act to authorize the construction of a dam across the Peckatonica river in La Fayette county;

An act in relation to medical societies, and for the promotion of medical science;

An act concerning the crime of seduction;

An act to authorize the construction of a bridge across Nepasink lake;

An act to amend an act to organize the county of Manitowoc for judicial purposes, approved March 2, 1848;

An act concerning marriages;

An act to provide for laying out and establishing certain roads therein named;

An act concerning county surveyors;

An act relative to seals;

An act in relation to crimes and the punishment therefor;

An act to pay the commissioners to revise the laws, and their clerk;

An act to appropriate to the several persons the several sums therein named;

An act to pay to H. A. Tenney the sum therein named;

An act to establish and lay out a certain road;

An act to alter the boundaries of the town of Milford in Jefferson county;

An act to authorize school district number seven in the town of Ottawa, Waukesha county, to levy a tax to build a school house;

An act authorizing the governor to draw the five per centum of the nett proceeds of the public lands;

An act to authorize the board of supervisors of Sheboygan county to erect county buildings;

An act to authorize the inhabitants of school district number one, in the town of Hazel Green, Grant county, to raise a tax to build a school house in said district;

An act relating to common schools;

An act to prevent forcible entry and unlawful detainers;

An act for general provisions relating to corporations;

An act for the relief of persons confined in jail on civil process;

An act in relation to proceedings to compel the delivery of books and papers by public officers to their successors;

An act in relation to the legislature;

An act to provide for recording town plats;

An act to provide for the annual meeting of the legislature;

An act relative to the incorporation of cemetery associations;

An act relative to inquests of the dead;

An act relative to the foreclosure of mortgages by advertisement;

An act concerning the nature of estates in lands and of uses and trusts;

An act relating to the partition of lands;

An act relative to information in the nature of quo warranto;

An act relating to writs of mandamus and prohibition;

An act relating to penalties for violating election laws;

An act on printing;

An act relative to the incorporation of companies to construct plank and turnpike roads;

An act concerning waste;

An act to prevent fraudulent conveyances and contracts relative to real and personal property;

An act relative to bills of exchange and promissory notes;

An act relative to proceedings by and against incorporations;

An act to provide for the publication of legal decisions;

An act to punish trespass on lands;

An act to authorize the appointment of commissioners to take the acknowledgment of deeds and other instruments and depositions in other states;

An act relating to the several counties of the state;

An act to provide for the election of other than town officers;

An act in relation to the resignation, vacancies and removals and of supplying vacancies;

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An act to appropriate to the several persons the several sums therein named;

An act to provide for laying out certain roads therein named;

An act concerning divorce;

An act concerning fence viewers and pounds;

An act relating to powers and conveyances of lands, estates, in dower, and by the courtesey general provisions concerning estates, and title by descent, wills, settlement of estates, and title to real estate by special provisions of law;

An act relating to justices' courts;

An act to repeal all the acts which are consolidated in the revised statutes;

An act to provide for the formation of uniformed companies;

An act concerning judgments and executions;

An act concerning costs and fees;

An act concerning rates of toll for grinding.

NELSON DEWEY.

Mr. Barber, from the joint committee appointed to wait upon his excellency the governor, reported that they had called upon his excellency and had been by him informed that he had no further communication to make to the legislature.

Mr. Strong, (Mr. Clark in the chair,) introduced the following resolution, which was adopted, to wit:

Resolved, That while we are fully aware how much the usefulness of every legislative body depends upon the character of its presiding officer, we tender to the Hon. Harrison C. Hobart our sincere thanks for the able and impartial manner with which he has discharged the duties of speaker of this assembly during its present session.

A message from the senate by their chief clerk:

Mr. Speaker:

I am directed to inform you that the senate has completed the business before them and is now ready to adjourn.

Mr. Clark moved the assembly do now adjourn without day,

And the question on the adoption thereof,

Having been put,

It was decided in the affirmative.

Whereupon, the speaker, after a few brief and appropriate remarks, declared

The assembly adjourned, *sine die.*

APPENDIX.

APPENDIX.

MESSAGE.

Fellow Citizens of the Senate
and Assembly:

The representatives of the people have again come together to legislate for the welfare of the state, and to pass such measures as will advance and preserve their rights and prosperity. The condition of our state, in all its diversified interests, presents a gratifying spectacle of successful enterprise, and the abundant products yielded to the hand of toil, in all the branches of labor, exhibits a capability of resources unsurpassed.—Our population is rapidly increasing, and their indomitable energy is fast developing the productive capacity of the state in every branch of industrial pursuit.

In viewing the prospects of our state, it is a source of high gratification that we possess all the elements of state wealth, and of individual prosperity and happiness. All our great interests are advancing and being successfully extended. Recent discoveries have opened in various parts of the state, rich beds of iron ore which is said to be unsurpassed in quality and richness, and inexhaustible in quantity. The county of Dodge is the seat of one of the beds discovered, and is obtained with great facility. Furnaces are now in the process of erection at this mine, for smelting and manufacturing the ore. The country north of the Wisconsin river, is also said to abound in this mineral. Should the reasonable anticipations, as to the productiveness and value of these mines, be realized, the advantage, resulting to the state, will be incalculable, and another great interest will be added to its internal wealth.

The national government has recently effected a treaty with the Menominee Indians, by which their title has been extinguished to the country north of the Fox river, embracing all of their lands in the state. This is an important acquisition, as it opens a large tract of country to civilization and settlement, and has been for a long time greatly desired by that section of country. These lands are said to be well adapted to agricultural purposes, possessing a soil rich and productive. It has a salubrious climate, is well watered, with sufficient hydraulic power for all necessary manufacturing purposes and abounds in fine timber which will add greatly to our lumbering interests. Our increasing imigration, and the adventurous enterprise of the American character will soon make these wilds of the Indian the happy homes of an enlightened and industrious people; and the trail of the savage will soon be turned into the pathway of civilized life.

The unprecedented rapidity with which our state has been settled, the rapid development of its physical resources, and the intelligence of its people are subjects of a rational pride.—From these facts it is evident that Wisconsin possessess superior natural advantages, and to these advantages and to her liberal institutions, is to be attributed the high comparative position which she occupies among the new states of the federal union.

The government of the union and of the several states, being based upon the principles of equality of rights, the great object of legislation is, to secure and preserve that equality, both to the states and to every member of the community. But while such is the basis of our national and state institutions, there is incident to this, a principle of no less importance to individual happiness and the moral elevation of the people, that should not be lost sight of by statesmen and philanthropists, and that is the equality of the social relations. The equilibrium of the social condition of the people is the greatest safeguard to the permanency of our institutions, and will produce the largest amount of individual happiness and prosperity. The nearer the members of a community approximate to this equality in their relative condition, in wealth, in education, and in all the social duties of life, the greater will be the extent of their rational enjoyment. In enlightened Europe, where social inequality exists to an alarming extent, the amount of misery, want and depravity among the masses of the people is incredible; and the inquiry may well be made whether the present struggles in the European nations for the establishment of constitutional liberty is not more the result of this inequality than the unequal distribution of political rights. While our own country possesses an approximate equality as well in the social as the political condition of its citizens, it behoves those in whose hands its legislation is entrusted to take care that this equality is preserved as far as possible, and that the interests of the most humble are cared for. Whether positive and direct legislation can be justly applied to extend this equality, is problematical; but much may be accomplished by avoiding all class legislation, at the expense of the many for the benefit of the few.

In your hands is entrusted the high and responsible duty of legislating for the good of the state, and by giving a liberal direction to its policy much may be done to secure the permanancy of our incomparable system of government, and to promate the progress of social equality and political freedom.

The term of service of one of the representatives of this state, in the senate of the United States, will expire on the fourth of March next. The subject is brought to your notice that the vacancy may be supplied at your present session.

The constitution, in the eleventh article, provides that "corporations, without banking powers or privileges, may be formed under general laws, but shall not be created by special act, except for municipal purposes, and in cases were in the judgment of the legislature, the objects of the corporation cannot be attained under general laws. From this clause in that instrument it is apparent that the power of the legislature to pass special acts of incorporation is restricted to extraordinary cases, and that every person who may wish to exercise corporate privileges should have equal access to them. This is a correct and just principle, and if any advantages are to be derived from the use of these powers every citizen should have the opportunity of availing himself of their benefits without the expense of procuring special acts of legislation. I therefore recommend such legislative action as will carry out the intent of this constitutional provision. The common law liability of the individual members of corporate bodies for the debts of the corporation is unjust and anti-republican. No sound reason can be adduced based upon natural justice or public policy why the liability of the members of an incorporated company for its debts should not be the same as that of the individuals of an ordinary co-partnership. Should individuals, because they happen to be associated together as a corporate body in any business, be exempt from liabilities and duties which the law would impose upon them if engaged in the same business as co-partners? Certainly, no well founded argument can be brought to sustain such a position. The liability in the two cases should be the same. If individuals participate in the profits and dividends of an enterprise they should likewise sustain its losses. The liabilities and duties of individuals should be the same whether acting singly or collectively, or as corporators or co-partners. Any other principle is repugnant to the spirit of our institutions and is contrary to the doctrine of equality of rights. I submit to the wisdom of the legislature the justice of providing by law, that the members of a corporation should be responsible for its debts to the same extent that co-partners are for the debts of their partnership firm.

The people, by their constitution, having determined not to carry on or engage in any works of internal improvement, except in cases where donations have been made for particular works, it becomes a matter of vital importance to the prosperity of the state, that the most effective system of opening and improving our common highways, should be established by law. It is over these pathways, which traverse every portion of the state, that our surplus products find their way to market, and our foreign supplies are received from the navigable waters which bound us on either side. The importance of these channels of inter-communication have become more apparent during the last season from their almost impassable condition in many parts of the state. The improvement of the present manner of maintaining our public roads addresses itself with strong force to your consideration. Under the present laws, the revenue for this object is derived from a *per capita* tax, and by a tax levied upon the taxable property in the several towns and counties. These taxes may be discharged, by the persons taxed, in labor upon the roads in the proper districts, under the direction of a supervisor. The effect of this mode of discharging taxes is, that in some districts, they are, when collected, paid into the county or town treasury, and are never expended upon the roads, and the resident tax payers to frequently perform their road labor superficially, which prevents the beneficial improvement of the highways to the extent reasonably to be anticipated from the system. Again, the ratio of taxation being equal in each town or county, the result is, that in some districts where only a small amount of road labor is required, a surplus is raised which is unexpended, and in other districts, in which a large amount of laber is necessary to keep the roads passable, owing to the small amount of taxable property and the paucity of the inhabitants, a deficiency of taxes for this purpose exists. It follows, therefore, that in some cases the roads are almost impassable. This system operates unequally and unjustly in many, if not all the counties of the state. The whole people being equally interested in the public highways, the burdens of maintaining them should be equally distributed. Small districts should not be taxed with oppressive and heavy duties when adjoining districts receive equal benefits from them without contributing to their performance, or performing similar ones to the same extent. Where equal benefits are received there should be equal contribution. I submit, therefore, the propriety of modifying the existing laws upon this subject, so that the taxes levied for road purposes shall be paid in money, and collected in the same manner as other taxes, and that when collected, they be expended in the opening and improving of the public highways, under the direction of a road superintendent, to be appointed in each county or town, who should be required to keep the roads in good repair. Some modification of our road system of this kind, in my opinion, would be more just and equal in its operation, and result beneficially to the public.

The judiciary of the state, under the elective provision in the constitution, has been organized since the last session of the legislature, and the expectations of the people appear to be realized in its operation. While our institutions recognize the principle that every person is entitled to a certain remedy in the laws, for all injuries that he may receive, and that justice should be administered freely and without price, or denial, promptly and without delay: it becomes the duty of the representatives of the people, in providing by law for the details of this principle, to inquire whether this remedy, in its largest measure, is placed within reach of every citizen. In making this inquiry into the capacity of our judiciary to supply the wants of the community, and to administer justice without denial or delay, we must look into the business before our courts and see if justice is administered in accordance with the principle laid down. My own opinion is, that it is not. This opinion is drawn from personal observation, and from the every day complaint of litigants. In some of the counties it is not unfrequently the case that court adjourns without completing a moiety of the business before it, and suitors, after attending during its term with their witnesses, are compelled, at a great expense and loss of time, to leave the portals of justice without having their business disposed of. This amounts almost to a denial of justice, and it is certainly not administering it without delay. The utility of laws for the collection of debts may well be questioned by political economists, when judicial relief is obtained with so much delay, and attended with such heavy expenses, and loss of time. It is estimated that the loss to the community, growing out of litigation, exceeds the amount of debts collected. Upon the basis of this estimate the subject is receiving public examination, and discussion as a question of political economy; and from this discussion, it is hoped, at least, some good may follow, in this, that judicial investigation may be more easily reached, and its decisions obtained with more certainty and promptnees, and with less burdens upon those who seek its assistance. If evils exist, the remedy should be applied. The remedies within the reach of the legislature are, either to increase the terms of court in those counties where required, and so to arrange them in the counties composing a circuit as to give sufficient time to despatch the business, or by organizing the inferior courts, authorized by the constitution.

I would also call your attention to some remedial provisions that I deem necessary to place the courts of probate upon a proper basis. It is estimated that the whole property of the country passes through the judicial action of these courts, once in the period of thirty years. Their great importance, therefore, to the public is apparent; and every improper influence that may, in the least, effect the exercise of their judicial functions should be removed. The present laws provide that the compensation of these officers for their services, shall be by fees taxed against those procuring the rendition of the services, who all act in a fiduciary capacity.

The objection to this mode of compensation is, that a direct and mutual inducement is held out, both to the officers and fiduciary to improper conduct, by paying, on the one part, to the officer exorbitant fees, and by allowing, on the other part, to the fiduciary unjust accounts against the trust estate. This court should be placed on as high a moral elevation as the higher courts of record, and its consequence to the interests of the country is no less important. The compensation of these officers should be by a fixed salary, to be regulated according to the amount of duties to be performed in each county. Also, existing laws leave it discretionary with those officers to regulate the times and places of holding their courts. This is objectionable, inasmuch as in the exercise of this discretion, without any fixed place of holding the court, the officer may keep it at all times in session, constitute a travelling court, and may also enter decrees affecting the most important right of persons, as well as minors, *femme coverts*, idiots, and absentees, without that publicity that should govern all judicial action. Regular terms of this court, and the places of holding the same, should be fixed by positive legal enactment, and no final decree or order should be made except in term time, and upon notice, to be published in some newspaper. Provisions of law, of the character referred to would place these courts above suspicion, and more effectually protect the rights of those interested in their decisions. They are the guardians of those persons wanting the legal capacity to attend to their own affairs, and are regarded as the representatives of the dead, to protect and shield their estates for those entitled to them. To remedy the delays attending the administration of justice in the courts of common law, and the defects in the laws regulating the probate courts in the particulars stated, I recommend that the terms of the circuit court be so arranged in each circuit as to allow sufficient time for the court in each county to dispatch the business before it; and, also, that an inferior court of record should be organized in each judicial county, with probate powers, and with limited civil and criminal jurisdiction, and that the court of probate be abolished. The clerk of the circuit court should be ex-officio clerk of this inferior court. There should be one judge, with a salary to be fixed by law, and to be paid out of the proper county treasury.

If, however, the legislature should be of the opinion that the public interests do not require the creation of this inferior court and the abolishment of the courts of probate, I then recommend that provision be made by law that the judge of probate should receive a fixed salary for all his services to be paid out of the county treasury, and that the amount be regulated by the boards of supervisors in each county; and further, that the times and places of holding this court be regulated by law to correspond with the views expressed.

Some legislation is required directing the docket fees charged upon each cause brought to the courts of record to be paid into the state treasury that it may be made available for the objects contemplated by the constitution.

The patents for some of the "canal lands" sold under the territorial government have not been issued, and doubts are entertained whether the governor of the state can legally issue them so as to vest the title of the lands in the purchasers. The subject is referred to, that legislative provisions may be made directing such patents to be issued. The accounts of the register and receiver of these lands remain unadjusted. It is due to these officers, and the true interests of the state require that this matter should be brought to a close. Such steps are urged to be taken as will accomplish this object.

I respectfully direct your attention to the views expressed in my first message to the legislature on the subject of the revision of the militia laws, and recommend its organization upon the basis in that message stated. A complete organization and enrollment of the militia for the purpose of ascertaining its numerical strength is necessary in order that the state may draw its just quota of arms from the general government.

The legislature at its last session, by resolution, directed the executive to open a correspondence with persons in different sections of the state, for the purpose of eliciting information as to the most eligible point at which to establish a penitentiary. I have to inform you that this duty has been performed by the executive, and the communications received on the subject are submitted for your consideration. Your particular attention is directed to the interesting communications of I. A. Lapham, Esq., and H. Barber, Esq., submitted in connection with this subject. Their views on the subjects discussed are entitled to careful investigation. I again urge upon the legislature the propriety of taking the initiatory steps for the erection of a state prison, and I refer you to the sentiments given in my former message on this subject. The manner in which the sentences of the criminal law are enforced at the present time is calculated to bring it into disrepute, is expensive to the state, and detrimental to the prisoner. In some cases state prisoners are permitted to go at large without restraint, and in other cases they are strictly confined in unwholesome prison rooms, which makes the enforcement of this law operate unequal on the same class of offenders, and the result from this state of things is the frequent application for the exercise of executive clemency.—As the most suitable mode of commencing the establishment of such an institution, I suggest the appointment of commissioners whose experience in the construction of prisons, and prison discipline can be relied upon, to examine the different localities of the state and select a suitable point for the object. In making the selection, that point should be designated where the labor of the convicts would come least in competition with the industry of the country. Power should be given them to procure a draft of a plan of the prison and its grounds, subject, however, to the approval of the legislature. For this object and for procuring the materials of the commencement of its erection, I recommend that the ways and means be provided at this session. The executive pardon has been extended unconditionally to three different convicts since the organization of the state, which will be made the subject of a future communication to the legislature.

I again invite your attention to the punishment of the crime of murder, and recommend that the views contained in my last message on this subject be carried out by legislative enactment. Sound reason and natural justice direct that a discrimination should be made in the punishment of this offence, according to the degree of moral guilt displayed in the commission of the crime. Such a modification of the law will subserve the best interests of society and humanity, and will secure a more certain enforcement of the criminal code.

The commissioners appointed to revise the statute laws of the state, I learn, have been actively engaged in the discharge of the duties imposed upon them, and will report to you such portion of their labors as they have perfected. From the limited time that has elapsed since their appointment, it is not expected that they will be able to complete their revision during this session. They will be prepared to submit, at an early period, bills, revising the laws relating to town and county government, taxation and the financial system of the state. I recommend your early action upon these subjects, so that the laws relating to them may be uniform, as recognized by the constitution. Early action in this respect is rendered necessary, that the laws may be published and circulated among the people before they are called upon to carry them into execution, and this is the more necessary in many parts of the state, as the town and county government will be new, and only a short time elapses prior to the next town election. For further reasons in support of the imperious necessity and justice of establishing by law such uniformity, I would refer to my first message.

Attention is called to the manner of keeping the books in the auditor's and treasurer's office. A plan easy, simple, and comprehensive, should be established by law, and on the principle of double entry. Reference is made to it to elicit investigation.

The secretary of state not being required to report to the executive, I cannot officially inform you of the revenues and finances of the state. The report of this officer will place this subject fully before you. I respectfully recommend that ample provision be made by direct taxation to discharge all the liabilities against the state, and sufficient to anticipate the ordinary expenses of the government for this and the succeeding year, as they shall accrue, that the public faith may at all times be sustained. The treasury should always be supplied with funds to meet its wants as they occur, and the only way to do this is to provide the means in advance, and in the absence of other sources of revenue this must be met by direct taxation.

The power of the legislature to issue any evidence of state debt is restricted by the ninth section of article eighth of the constitution, except for such debts as are authorized to be contracted in the sixth and seventh sections of that article. From this section it is clear that the issue, by the authority of law, of any scrip, auditor's or other warrants, is prohibited, and that the act of the legislature itself should be the only warrant and authority upon which money should be drawn from the state treasury. In fact the law appropriating the money is the highest warrant that can be drawn, and the receipt of the person to whom the appropriation is made is the best evidence of its payment. With this method of drawing money from the treasury, the objection of double issues or of forged warrants is removed, and the law itself becomes an unfailing check upon the paying officer.

Doubts being entertained by the legislature at its last session whether auditor's warrants came within the restrictive clause of the constitution referred to, provision was made by law that no money should be drawn from the state treasury except on the warrant of the secretary of state. Participating in these doubts, the executive sanction was yielded to those laws directing the issue of such warrants. Subsequent reflection, however, has convinced me that these laws are in contravention of the constitution, and that every warrant or other paper issued by one officer of the state on another, for the payment of money, is and thereby becomes an evidence of state debt, and is the voucher of payment. The appropriation directing the payment of the money is merged in the warrant or other instrument issued. The warrant is the authority upon which the money is paid, and is the voucher for so doing, it follows therefore that it is an evidence of state debt not recognized by the constitution. I would therefore respectfully recommend a repeal of all laws authorizing the issuing of warrants or other orders on the state treasury, and that provision be made by law requiring the treasurer to pay on appropriations only, which, with proper vouchers, is the most effective check upon his disbursements.

A bill was passed at the last session of the legislature, allowing interest on the auditor's warrants issued by the authority of law, which did not receive the approval of the executive, and was not returned with objections. This bill was presented for the action of the executive on the last day of the session, and immediately after its presentation I was informed by a joint committee of the two houses that the legislature had completed the business before it and was ready to adjourn, which prevented me from returning it with my objections to its approval, at that session. I objected to the passage of the bill, because—First, the bill provided that certain auditor's warrants after presentation to the treasurer and non-payment, should bear interest at twelve per cent, which would clearly render them evidences of state debt, if they were not such without the interest feature. The moment interest should begin to run on them, that moment they would become such evidences, and would therefore become unconstitutional. Secondly, the provisions of that bill extended only to a certain class of the public creditors, and not to all alike. It was therefore unequal and unjust in its operation. And thirdly, the principle of allowing interest on appropriations and warrants is not contemplated by the constitution, and a precedent would be established injurious and impolitic.

The constitution requires that the legislature shall provide by direct taxation, if there are no other sources of revenue, for the payment of the expenses of each year and all deficiencies for preceding years. If the legislature carries out this provision, there will at all times be funds on hand to meet the current expenses of the state. Good policy and sound economy dictate this course, and I trust that the representatives of the people will adopt it.

I respectfully call the attention of the legislature to the fact, that ten bonds, of one thousand dollars each, are outstanding against the state, unsatisfied, which were issued and negotiated under the late territorial government of Wisconsin, to aid in the construction of the Milwaukee and Rock river canal. I recommend that the subject of these bonds be investigated; and that such provision be made for their payment, and discharge, as justice and good faith would dictate, and the true honor of the state and people demand. I also urge that the outstanding liabilities of the state be ascertained as far as possible, and means be provided for their payment.

The act of the last session, entitled "an act to exempt from forced sale on final process the property therein named" requires some modifications to make its provisions harmonize with pre-existing contracts, and the former laws on this subject. This act repeals all previous laws exempting any personal property from forced sale on final process, and enacts a new one. As some doubts exist as to the proper construction to be placed upon this act, I recommend that such modification of it be made that the provisions of the prior act may apply to contracts then existing, and that the present act be confined in its operation to contracts entered into since its passage. Much unnecessary litigation might be avoided by such an alteration, and it will be within strict constitutional limits.

The act of the legislature to exempt a homestead from forced sale, took effect on the first day of this month. Whether the beneficial results that have been anticipated will follow from the practical operation of this measure, remains yet to be proved. This subject is brought to the attention of the legislature at this time with the view of urging such a change of its provisions as will correspond with the sentiments presented in my message of the eighth of June last. In reiterating the opinions in that message presented, I would add, that in my opinion, some limit in value should be given to the homestead exemption, and should be confined to persons with families depending upon them for support. Such a change of this law will have a tendency to make it a permanent provision, and will be sustained by public sentiment; but without it, it is feared the whole law will be repealed. Its provisions can be extended, if experience shows that it promotes the public welfare. I trust that this humane provision will forever remain on our statute book. It throws the mantle of protection around the unfortunate and shields them from unjust oppression. Its tendency is to elevate the moral and social condition of the people. I would suggest, as matters of detail in carrying out this measure, that the person wishing to avail himself of it should make a selection of his homestead, and have the same described and appraised in a manner to be defined by law; which selection, description, and appraisal, he should cause to be recorded in the office of the register of deeds of the proper county. These details would prevent fraud, and make definite what is now uncertain.

Immediately upon the passage of the act giving the assent of the state to the grant of land made by congress to aid in the improvement of the Fox and Wisconsin rivers, steps were taken by me, as required by law, to locate the lands thus granted. On the twenty-ninth day of June last, being the day on which the act of the legislature referred to was approved, I addressed the general government, notifying it of the assent of the state to the act of congress, at the same time informing it that I selected the alternate sections unsold in the limits of the grant numbered with odd numbers, and also requesting to be furnished with a diagram of the grant, with other information necessary to complete the locations; to which I received no reply until the 27th of November last. In consequence of this delay no locations have been completed. The odd numbered sections within the limits of the grant, and unsold, comprise about 125,000 acres. These lands have been selected, and the approval of the President of the United States is only wanting to bring them into market. The residue of the lands granted, cannot be finally located without further action of Congress. No efforts on the part of the executive will be spared to secure a speedy and judicious location of all the lands, so that they may be made available for the furtherance of the object of the grant. The act providing for the improvement of these rivers makes it the duty of the governor to appoint a register and treasurer whenever the selection of the lands granted shall be completed, and a sale of any portion of them required. The contingency referred to not occurring, no officers have been appointed. As soon as the President approves of the locations already made, the appointment of these officers will become necessary; and should this information be received during your present session, you will be advised,—that these officers may be elected by joint vote of the senate and assembly, as required by law.—Some legislation will be necessary, in order to secure to the settlers on these lands the right of pre-emption granted to them by the act of the 8th of August last. The 41st section of this act will require some modification to accomplish the object.—Your attention is therefore directed to this subject.

The board of public works appointed under this law, were convened at the capitol early in September last, when an organization took place. An engineer was appointed and other measures taken to ensure, at an early day, a preliminary survey of the proposed canal and of the Fox river, upon which estimates could be based. This survey, I have been informed, has been completed; and is highly satisfactory, and exhibits a capacity and facility for the improvement of these streams not before anticipated by the most ardent friends of this great internal channel of communication. The importance of this improvement to a very large portion of the state, traversing its whole extent from the north-east to the south-west, is too apparent and well known to require comment. The valley of the Fox and Wisconsin rivers comprises some of the best portions of the state and it may be safely estimated that one half of its geographical area is interested in this improvement; it therefore forcibly commends itself to the favorable consideration of the legislature and should receive from it an energetic impulse.

The board of public works will meet at the capitol on the 15th inst., when a report of their doings and the result of this survey will be submitted in detail. Some legislation will be necessary, I am informed, to prosecute the work energetically and economically which will be suggested in the report of the board and engineer. When these reports are received, such additional suggestion will be made as a vigorous prosecution of the work may seem to demand.

Under the act directing the 500,000 acres of land granted to the state by Congress to be located, about 200,000 acres have been selected but the approval of the locations has not yet been made by the general government. The farther locations of these lands has been suspended until they can be made of a better quality and at a less expense than at the present time.—As the title to none of these lands has yet been perfected in this state, no recommendations on the subject of their sale is made.

The condition of the capitol and the property connected with it is brought to your notice. Some provision should be made for repairs and for finishing and furnishing the supreme court room and the state offices in a manner becoming the character of the state. The capitol and its grounds with the other public property, should be under the control and supervision of one of the state officers, and its use should be confined to such purposes only, as were intended by its construction. A contingent fund should be placed at the disposal of the officer having such supervision, for the purpose of discharging, as they are incurred, such incidental expenses as are necessary to keep the capitol and its grounds in proper order. Economy would dictate this course, as the time consumed by the legislature in making separate appropriations for these expenses, to different persons, costs the state more than the aggregate amount of the claims allowed. Such legislation as will carry out these views is urged.

The constitution has appropriated to the school fund all moneys and the clear proceeds of all property that may accrue to the state by forfeiture or escheat, and all moneys that may be paid for exemption from military duty, and the clear proceeds of all fines, collected in the several counties for any breach of the penal laws, and also the five per centum of the nett proceeds of the public lands. Some legislation is required directing the revenue received from these sources to be paid into the proper fund for investment, and authorizing some person to draw the five per centum referred to from the United States treasury.

Provision has been made to carry out that clause in the constition which requires the school and university lands to be appraised before a sale could be effected. The only lands that can now be appraised under this law are the university lands of seventy-two sections and the sixteenth section in each township. The commissioners appointed to discharge this duty were required to make their reports to the secretary of state, who will communicate the progress made to the legislature.—That portion of the state lying north of the Fox and Wisconsin rivers is but sparsely settled and many portions of it are yet unsurveyed. It therefore becomes a question of doubt whether the public interest and that of the school fund will be promoted by an appraisal of the school lands lying north of those river at this time. I respectfully recommend that the further appraisal of the lands referred to be suspended until the appraisal can be more economically accomplished, and a result obtained more beneficial to the school funds.

The propriety of a sale of the university and school lands after their apprisal, will address itself with much force to your consideration at this session. The interest of these funds, it is believed, will be advanced by a sale of them. It is estimated that the interest of the money that might be received from such sale at this time, would exceed their rise in value in case their sale should be postponed. Other advantages of an important character would result to the state by their sale. A large quantity of valuable wild land would pass into the hands of industrious settlers, thereby materially increasing the productive resources of the state. This would add to the amount of taxable property, and consequently swell the state revenue.

In preparing the details of a system for the sale of these lands, I suggest that, in all sale upon a credit, the title of the land shall remain absolutely in the state, until the purchase money and all interest is fully paid, and that the purchaser shall have only a right of possession, until the terms of sale are complied with; and further that in all cases of failure to pay any part of the purchase money or the interest, when the same becomes due, the state should have the right to re-sell or take possession of the land, the same as in case no sale had been made. Much trouble and expense in making collections and ejecting delinquent purchasers, will by adopting this course be avoided. In all cases of sales upon a credit, a cash payment should be exacted, of from twenty-five to fifty per cent., depending upon the situation of the land as to timber and its liability to waste; the residue should draw interest, payable annually in advance, and the principal and interest made payable to the state treasurer, at the capitol. This course would be prudent, and in fact it is the only safe mode to protect these funds.

The investment of the funds arising from the different sources of revenue for educational purposes, is among the measures of the highest importance you will be called to act upon at this session. Unless these funds are judiciously invested, so that the interest and principal when due shall be paid promptly without expense to the state, and at the place stipulated, but little benefit will result to the people from the liberal provisions they have made for these objects. Some system of investment must be devised that will not consume all of the income from the funds, in investing them and collecting the principal and interest when due.

Only two methods of investment can be adopted at the present time. One is by establishing a loan office or offices, under the direction of the board of commissioners, to loan these funds to our own citizens, on bond and with real estate as collateral security. To this mode objections exist, among the most prominent of which the following presents themselves: The title of each tract of land offered as security, must be examined by some agent of the state, to ascertain if it is perfect in the person offering it, which will be attended with much expense and some risk as to the correctness of the examination, and an additional charge for the record of the mortgage deed.—Again, in the event that the principal and interest are not paid when stipulated, an expensive proceeding must be pursued to enforce the collection of the money, and these expenses may be incurred, where only a small sum is loaned. In case this system of investment is adopted, all expenses of loaning and collecting the money should be paid by the person taken the loan.—The cash value of the collateral security should be at least double the amount loaned, and such value ascertained by disinterested freeholders acting under oath as appraisers. The other mode of investment is by purchasing United States stocks or the stocks of those states that promptly pay their interest when due. This last mode is certainly attended with the least expense and trouble, and there will be a greater degree of certainty in the income. The objection to this mode is that the funds would not be invested among our own citizens. My conclusions are in favor of the latter system of investment as the most economical and certain. The whole subject however is left to the wisdom of the legislature.

I learn that the revisors will present in detail, a bill for a sale of the school and university lands, and the investment of the funds which I commit for your consideration.

The board of agents of the university being vacant, these officers were appointed under the provisions of law, who will hold until the close of your present session, and until their successors are elected. The present law provides that they shall be elected by the joint vote of the two houses of the legislature. It is only necessary for me to call your attention to the fact, to ensure the performance of this duty. The board of agents is now full, and I learn that they have organized the university under the law. The importance of this institution to the cause of education in our young and growing state, will not fail to command at your hands a wise and liberal policy. The board of regents are required to report their doings to the legislature, and not to the executive. I cannot advise you, therefore, of the steps taken by them to further the objects of the institution. I doubt not but that they will submit to you as directed by law a detailed account of their acts and such other information as will promote the welfare of the university.

Your attention is earnestly directed to the school systems of this state, and the great importance of establishing one that will be uniform, and upon a basis firm and liberal. No question of state policy, in the present age, is eliciting more attention at the hands of political economists than the educational interests of the country. It is not only to systems of schools and the manner of imparting instruction that demands the notice of statesmen, but the extent and character of the education disemminated among our youth should also receive investigation. While we congratulate ourselves upon the progress we have made in the advancement of education, may not the inquiry well be made, whether our system of instruction is adequate, and of that practical character to fit and prepare the youth of the state to discharge all the duties required at their hands as members of the social compact and body politic. Are they taught any of the practical duties of life? Does the science of government or of political economy enter into the system of their education? Are their political and natural rights explained and discussed before them? Are they taught in your schools the relative social duties due to and from society? In fact, do they learn any thing of the economy of life, or of procuring the means to sustain it? Are not collegiate graduates as destitute of all practical knowledge necessary to place them in a useful attitude as citizens as when they first entered the college portals? Is this placing upon a correct and proper basis the education of those into whose hands will soon pass the political and social affairs of the state?

The system of public instruction, physical, moral and intellectual, should be more of a practical nature, and less theoretical, or rather, the practical, theoretical and elementary, should be more blended together and carried forward in harmony without giving preference to either, to the neglect of the other.— Our youth should be educated for the realities of life; they should be educated to be men, and to know the rights of man, and when thus educated they will at all times protect those rights, and be prepared to meet with firmness all the responsibilities incident to their position. The most perfect system of imparting this instruction yet devised is, that of common schools; and the first great object of our state, should be to make the one now in form more perfect. Uniformity in schools of the same grade as well in text books as in the manner of instruction is absolutely necessary to the harmony and success of the system. This uniformity does not exist in our schools, and it is regarded as a great evil. As a means of creating this uniformity it has been suggested, and I recommend that the regents of the university and state superintendent constitute a board to prescribe the course of study and the books to be used in all the schools of the state. This board should have the selection of the libraries and apparatus of such schools,and the fixing a standard of qualification for teachers, and a plan for school houses. I learn that the revisers will submit for your action, at this session, an efficient, uniform system of common schools adapted to the wants of the people. Your early action on this subject, and a repeal of existing laws relating to it, is advised. Another important requisite for a good school is competent instructors. It is, therefore, the duty of the legislature, in perfecting a system of public instruction, to secure suitable teachers.—The close connection that exists between the pupil and tutor has not been sufficiently regarded. The establishment of normal schools, at which teachers can be properly educated and prepared to perform their duties, will be the most effectual method of accomplishing this object. I recommend the adoption of this course so soon as the finances of the state will permit.

I respectfully call your attention to the act providing for the election of a state superintendent, and prescribing his duties.—This act requires revision. The term of service of this officer should be increased to two years. Without this increase no one can do justice to the station. This officer having been elected under the constitution and laws, it will become his peculiar duty to have a general supervision over the subject of schools, and to collect such facts and make such recommendations as the interest of the school system may seem to require; which I have every confidence to believe will be faithfully performed.

The benefits resulting from a geological survey and examination of the state, in promoting and developing its agricultural and mineral resources, will be of immense value to our people. Very little is known of our state in a geological point of view, and reference is made at this time to the subject more for the purpose of directing public attention to its importance than to recommend any legislative action on the subject at this session. The state of the finances will not at present admit of it.

The building of good harbors on our lake borders and the improvement of the rapids of the great father of waters are of such acknowledged commercial importance to the state and the whole Union, that it will only be necessary to refer you to them to ensure such legislative action on your part as will tend to their accomplishment.

I submit for the information of the legislature, a communication from Mr. Alexander Vattemare on the subject of international exchanges, accompanied by his report to the governor of Virginia as the agent of that state. I respectfully invite your attention to the consideration of this subject.

The improvement of the internal communication of the state is worthy of your attention. While our constitution has denied to the legislature the power to engage in such improvement except in particular cases, the main object of investigation in connection with the subject is the manner and means of accomplishing it. The right of the general government to establish a system of this kind, or to collect money and distribute it among the states for such an object being denied, its power to donate lands for any useful purpose to the states wherein it lies, has never been seriously questioned, and can be maintained upon rational principles. New states are admitted into the Union upon an equal footing with the original states, but no such equality can exist until the new states possess as well the ultimate right of soil as of jurisdiction, and the right also to tax the whole domain within her limits. As some equivalent for this inequality, it is but right that the general government should surrender, at least a portion of her demain to the states in which it may lie, to be appropriated to benficent purposes.

I therefore suggest that this subject be presented to Congress by the legislature, and that it be asked to grant to the state such quantity of land within its limits, either alternate sections or otherwise as will be sufficient to construct our most important works of internal communication. Such grants can be made with much propriety in the unsettled parts of the state in the north where settlements will not be interfered with. The construction of railroads, connecting the waters of the St. Croix river with those of Lake Superior, and one extending from some point on the Mississippi near the mouth of Black river, through the Wisconsin pinery, to Green Bay, has been suggested as feasible and well worthy of the liberality of Congress. Among the most important works of the kind, requiring attention, is the construction of such a road south of the Wisconsin and Fox rivers, connecting Lake Michigan with the Mississippi. These and the subject in general is commended to your notice. If we do not ask we shall not receive.

The present manner of disposing of the national domain in unlimited quantities has become a striking evil. In many parts of our state, individuals, and some are not even citizens or residents of the United States, have purchased large quantities of the best lands, and the settlement of the country has been thereby greatly retarded. Settlers have been compelled to pay an advanced price for their homes, and to increase by their labor the value of the wild lands of non-residents, without any corresponding benefit to the holders, and the investment in many cases is unprofitable. To show the extent to which this monopoly of the public domain reaches, I would state that in one county a single individual, who is not even a resident of the Union, holds upwards of 20,000 acres entered in the early settlement of the state. Such monopolies are truly great evils, and inducements should not be held out by enlightened and free governments to create them. The propriety of representing this subject to Congress, and of urging it to restrict the disposition of the public lands to actual settlers and in limited quantities, is respectfully recommended for your action.

The amicable relations which were interrupted between our government and an adjacent republic, have been restored, and we may now congratulate our common country that we are at peace with all the world. While we rejoice over the happy condition of our foreign intercourse, the exciting domestic question that has grown out of the acquisition of territory in the treaty with Mexico should not be overlooked, and should be approached in a a spirit of harmony and compromise. The sentiments of the legislature of this state were expressed on the question of the extension of the institution of slavery over the recently acquired territory, at its last session, in resolutions instructing our representatives in both houses of congress to act against such extension. It is believed that these sentiments correspond with the views of the great body of the people, and all constitutional means should be used to restrict the further progress of this great social and political evil.—Exciting and threatning as this question is in many portions of the Union, I confidently believe that the patriotic spirit of the people, which has at all times proved itself equal to any emergency, whether of a foreign or domestic character, will dispel the darkness thrown over our political horizon, and show the Union still united and indivisible.

The growing greatness of our whole country is becoming more apparent, and its energy aud enterprise more manifest, and the fact is being rapidly illustrated that it is in truth the model republic. The facilities with which information can be transmitted have increased almost incredibly. Already the electric wires of intelligence have, by the enterprise and energy of our people, reached the capitol of Wisconsin. To those whose energy has accomplished this result the liberal patronage of a generous public should be extended.

Our state government has gone into successful operation, and its organization has added another link to the great chain of experimental proof demonstrating the truth that the people are capable of self-government.

Twenty millions of people quietly assembling in their respective precincts, on the same day, and there determining who shall administer their national, and in many cases their local government for a period of years to come, present the most sublime spectacle of national greatness and virtue ever exhibited to the world. Such is the happy result of a government based upon the equality of rights and the intelligence of its people.

I have thus, as briefly as a due regard to the interest of the state would permit, presented to you its condition, and recommended for your action such measures as in my opinion will promote its welfare. My duty under the constitution is performed, and I leave the great interests of the people in the hands of its representatives, trusting that harmony may characterize all your official intercouse, and that your legislative action may be guided by wise councils and productive of beneficial results.

Madison, January 11th, 1849. NELSON DEWEY.

Documents accompanying Governor's Message.

No 1.

A COMMUNICATION

FROM

I. A. LAPHAM, Esq.,

ON THE SUBJECT OF A STATE PENITENTIARY.

MILWAUKEE, December 9th, 1849.

To His Excellency Nelson Dewey, Governor of Wisconsin:

SIR:—As you have been requested by a resolution of the state legislature (of August 12th, 1848,) to open a correspondence for the purpose of ascertaining the most eligible location for the erection of a state penitentiary, I take the liberty of recommending for the consideration of the commissioners or persons who may hereafter be authorized to decide the matter, as one of the most eligible locations for this purpose, or at least one worthy of their favorable consideration, a point near the village of Portland in the south-western part of the county of Dodge.

The most prominent and important argument to be presented in favor of this point, is the existence of an extensive ledge of granitic rock, believed to be in every way suited for building purposes, and to possess a degree of firmness and durability which is not found in any of the building materials now used throughout the western states. This rock is not strictly or technically speaking, granite which is essentially composed of three minerals, quartz, feldspar, and mica; but approaches more nearly to the character of sienite or quartz-rock, there being, apparently, but little feldspar or mica its composition. Such rocks, however, are usually known by the name of granite.—Sienite is the kind of rock usually found to be most durable in its nature, as it contains no feldspar, which, having an alkali as a part of its composition, is liable to decay.

In its general appearance this granite is not much unlike the famous Quincy granite of which so much use is made in Boston, New York, and other places, in the construction of the most costly public monuments, buildings, and other structures intended to endure the test of ages. Sienite is the material of which many of the ancient monuments of Egypt were constructed.—They have withstood the destroying effects of time, for at least three thousand years.

It frequently happens in opening new quarries that a large mass of decayed rock must be removed before we approach that which is solid, thus affording direct proof of a want of durability in the materials afforded by the quarry. For if the stone is liable to decay in its native bed it will be very apt to crumble when laid up in walls, subjected in many cases to heavy pressure and to a much greater degree of exposure to the destroying elements of the air, rain, frost, &c. The remark is often made by quarrymen that stone becomes more hard, firm, and durable as they go further and further from the surface; another proof that it is not of a kind suitable for permanent buildings. But after the closest examination, no indications of this kind could be detected in the Portland granite quarries. The rock appears to be as hard and firm at, and near the exposed surface as in the interior of the mass. Even the discoloration produced by the growth of moss and lichens upon the surface does not penetrate the stone beyond the depth of a quarter of an inch.

While examining the prominent, naked ridge of rock, at this very interesting locality, in July last, I discovered that it retained the marks of diluvial action; that is, it had been in some places smoothed and scored or grooved by the passage of large and heavy bodies of earth with gravel and boulders, over it at the time of the flood, or in other words when this continent was submerged beneath the waters of the ocean. So far as could be ascertained this rock appears to have been exposed to the free action of the elements from that time to the present, without losing these marks, by the decay of its surface. You will readily believe that this embraces a very protracted period of time, and yet to all present indications, the rock would endure for another period of equal length, for no indications of decay could be detected upon the closest scrutiny that could, during a hasty examination, be given it for this express purpose. You will also be satisfied that a rock thus able to withstand the disintegrating and destroying effects of atmospheric agencies for so long a time, is sufficiently durable for any purpose for which it may be applied by man.

The light grey color of this granite is very appropropriate for buildings, being an agreeable medium between the glare of a dead white, and the too sombre hues of a darker color. It exists in mass in the quarries, and not stratified like most of the other rocks of the west; so that it may be quarried of any desired size and shape. This kind of rock may be split by means of iron wedges set in rows and driven simultaneously, into any required form, and there again subdivided so as to reduce them to a small size. Blocks are often in this way quarried twenty feet, and even fifty or sixty feet in length. When afforded at a cheap rate they are applied to many purposes other than those of building houses, monuments and public works. They are in many places used extensively as fence-posts; and even, at least in once instance, as a sign post for a hotel.

It is well known that no quarries of granite have been opened or discovered in the vicinity of the Great lakes, or in the Mississippi valley. Engineers and architects are hence compelled to make use of materials known to be deficient in point of durability; and consequently, many public works and private buildings have already been rebuilt at a great cost and loss of time. We may hence suppose that as soon as the good qualities of this stone become extensively known, orders will be received for it from New Orleans, St. Louis, Cincinnati, Chicago, Detroit, Buffalo and a hundred other places, for the purposes of public and private buildings.

The point recommended is a central one, and one that can be approached with facility on the main traveled roads af the state. A plank road has been already commenced, which will connect this point with the lake navigation at Milwaukee; and also with Madison, the capitol of the state. The proposed rail road along the valley of Rock river will connect it both with

Chicago and Galena, within a short period of time, probably before the penitentiary could be completed and brought into successful operation.

There can be no doubt but that many of the better class of buildings in our cities and principal villages will ere long be constructed of this material, whether it is wrought out by convict labor or by private enterprize.

Another advantage should not be omitted in this enumeration. It results from facts of great interest to the geologists, as well as of great importance economically, This ledge appears to be an isolated mass of primary rock, surrounded immediately by limestones of the older formations, which seem not to have been disturbed by it—thus indicating that it was formed and assumed its present position before the deposition of these very ancient limestones. This limestone always produces by its decomposition a rich and productive soil. We hence find the country in the vicinity of these quarries yielding an abundance of all those supplies necessary to sustain the penitentiary. It is not a barren and rocky region as is usually found in the vicinity of primary rocks. The counties of Dodge, Columbia, Jefferson, and Dane, all rich counties—corner near this place.

Quarrying and dressing this stone preparatory to its transportation to a market would be a suitable and appropriate occupation for the convicts; being neither complicated or difficult. It would not subject our penitentiary to the objection urged against similar institutions elsewhere, by those engaged in the various branches of mechanical trades on account of excessive and unnatural competition with their business. The great hardness of the stone will make the working of it quite undesirable for ordinary stone-cutters and quarrymen, who would usually prefer working something that would yield more easily to the chisel.

The work of constructing the penitentiary may be commenced without delay; the convicts, under suitable guards, should be brought from the several county jails—where they are an expensive burden on the public—and set at work immediately, to construct the proper buildings.

That this is no impracticable scheme is evinced by the history of the Sing Sing penitentiary in the state of New York.—

That prison was erected on grounds containing great quantities of marble which it was proposed to prepare for the use of the architect. The building was constructed by the convicts taken from the prison at Auburn, before there was even a shantee to protect them from the weather. The recently erected prison in Clinton county in that state was constructed in a similar manner, with a view of working the iron mines found there and of manufacturing iron.

When the penitentiary has been completed in the manner proposed, and if it should then be found that the demand for the stone is not yet as great as it is now believed it will be, the convicts may be very profitably employed in furnishing materials for the erection of the university which it is proposed to build at or near Madison.

In regard to the general plan and arrangement of similar prisons, the following extract in relation to those of the state of New York may be interesting.

"The cells rise in tiers above each other to the heighth of five stories. These central structures are surrounded with an outer shell or envelope of a second wall, about eleven or twelve feet distant from the interior. Along the front of each range of cells runs a gallery. The size of the cells is seven feet deep by three and a half in width, and seven in heighth; all of stone with iron doors of an open diamond grating from top to bottom for the combined objects of security ventillation and light. To these buildings are attached spacious workshops surrounding the large court-yards of the prison in which different branches of mechanical industry are pursued with the aid of machinery in some instances on a very large scale; the whole enclosed in high outer walls, vigilantly guarded by armed sentries. The convicts wear a peculiar striped uniform of course woolen fabric manufactured within the prisons. Their movements to and fro at the regular hours in the daily routine of the life of the prisons, are all made in single file, with the lock-up step, and with the heads turned in one direction, facing the constant eye of the keeper of each respective division, for the prevention of intercommunication. A scrupulous cleanliness reigns throughout every nook and corner of the establishment. The health of the prisoners is good; the average of deaths being about two per cent. per annum. Each prison is provided with a chaplain whose whole time is devoted to this interesting though arduous pastoral charge, and under whose direction they receive instruction on the Sabbath in the Sunday schools. The cells have always been supplied with Bibles; and recently other books have been added, suitably selected for instruction and moral improvement. For many years the establishments have not only defrayed the cost of their own maintenance, but have continued to earn annually a large excess to the benefit of the general revenues of the state."

But no decisive step should be taken in regard to this important matter until a commission has been appointed to collect all the necessary information by visiting the most approved prisons, and thus enabling us to profit by the experience of others. It would reflect but little credit upon our young state to found an institution of this nature upon principles that have been abandoned years ago in other states.

Very respectfully yours,

I. A. LAPHAM.

No. 2.

A COMMUNICATION

FROM

HIRAM BARBER Esq.,

ON THE SUBJECT OF A STATE PENITENTIARY.

FAIRFIELD, DODGE COUNTY,
December 18th, 1848.

DEAR SIR :—Your letter of the 22d August last, asking my opinion as to the most suitable location for a state penitentiary, and other matters connected therewith, was duly received.

I have delayed answering it until I could obtain some definite information in relation to the success or otherwise of the experiment now being tried in New York, at their Clinton states prison, in the manufacture of iron by convict labor.

In the annual report of the agent of the Clinton state prison to the legislature of the state of New York, in January, 1846, he says, "Although the project of employing convicts in its (the iron) manufacture has from its first suggestion been assailed by various and repeated predictions of failure, every step in its progress thus far has been attended with success ; and many of the ill-omened predictions have already proved to be utterly without foundation, nor are any reasons discovered for apprehending the fulfilment of any one of them. On the contrary, confidence in its success appears to correspond with an understanding of the subject, and the enterprise seems to make a friend with every new acquaintance."

In a letter which I received from the agent accompanying the report from which the above extract is made, dated November 15th, 1848, he says, "In regard to the practicability of employing convicts in the iron business, there seems no room for a rational doubt; indeed, it is said to have been done for more than a century by both Russia and Germany. I found I could learn a convict a trade in less than half the time required by a citizen, as the convict's mind is not diverted from his business, and the majority of them are very anxious to learn trades."

With this testimony in favor of the experiment in New York, I unhesitatingly say that I think the town of Hubbard, in this county, affords the most suitable location for a state prison in the state, to be connected with the manufacture of iron by the convicts. There has recently been discovered in that town what is considered an inexhaustible bed of iron ore, of the first quality, yielding on an analysis from fifty-seven to sixty per cent. of iron, situated in town 11 north, of range 16 east, and about five miles east of Rock river, and about thirty-five miles west of Lake Michigan. Surrounded also by a densely wooded county, affording an abundant supply of charcoal for an indefinite period of time. At the village of Horicon, in the town of Hubbard, situated at the outlet of the Winnebago marsh, and about five miles west of the ore bed, a dam is erected across Rock river, raising the water about six feet, overflowing a surface it is said of between fifty and sixty square miles. This pond, or rather lake, affords an abundant supply of water during the driest seasons, and is as yet but partially occupied, and should it be deemed advantageous to make use of water power in the manufacture of iron, there is no doubt all the land and water power required for that purpose might be obtained at reasonable prices. Horicon is situated on high bluffs, rising gradually from the river to an elevation of from thirty to sixty feet, and is sorrounded by as fine a section of county for agricultural purposes as any in the state, consisting principally of oak openings and prairie on the west, and heavy timbered openings on the east for about two miles, where it is succeeded by heavy timbered land extending from there to Lake Michigan. The soil where it has been brought under cultivation, yielding wheat, oats, barley, potatoes and Indian corn in great abundance and of the finest quality. There is at Horicon a flouring mill and two saw mills, in operation, and lumber, such as oak, bass, butternut and cherry, could readily be obtained there for all the purposes they might be required in building. Pine lumber could be obtained in any quantity desired at Fond du Lac, a distance of about twenty-five miles. Limestone in abundance suitable for the erection of a prison is found in about two miles of there. The heavy timbered land at the east would afford suitable timber for hewing, of almost any desirable length that might be required.

The character of this location has been remarkable for the general health of its inhabitants, but little or no sickness has prevailed there as yet, except the ague and fever, and but few cases of that.

But should it be deemed advisable to follow the example of the state of New York, in the erection of the Clinton state prison, and to dispense entirely with water power, and to substitute steam, which she has found can be generated by the escape heat otherwise lost, then the prison might be erected at the ore bed, where limestone suitable for building in great abundance is found in immediate proximity with the ore. Should the location be made at the ore bed, the statement as to soil, productions and health of location at Horicon would equally apply to it.

The location of the prison at the ore bed would have several advantages in its favor. It would be in the more immediate vicinity of the heavy timbered land, making a saving in the transportation of wood or charcoal, also in the transportation of stone for building, and the ore when wanted for use; on the other hand, the sawed lumber would have to be transported some four or five miles unless manufactured on the spot by steam.

But whether the saving thus to be gained is a sufficient object to justify the use of steam power, I am not sufficiently informed on the subject to express a satisfactory opinion. The location of the prison at either of the points designated, could not other than beneficially affect the interests of the people living in its vicinity, as the country is but newly settled, little or no manufacturing of any kind is as yet commenced in this section of the state, and the mass of the people are farmers, whose lands in the timbered portions is covered with a heavy growth of timber, which must be burned up to no use other than to free their lands of it, as an incumbrance, whereas if the manufacture of iron is carried on in the vicinity, it at once enhances the value of their timber.

I have thus, (although irregularly,) answered your first, second and fourth propositions contained in your letter, and in answer to the third, "In what branch of mechanical or other industrial pursuit the convicts of a state prison can be employed and be of the most benefit and profit to the state, and at the same time produce the least injury to the industry of the country in any given location?" I would state that I think the manufacture of iron from the ore into the various articles af use, so generally needed by all, and the place of which can be supplied by no substitute, has more advantages in its favor, and fewer objections can be urged against it than any other mechanical or industrial pursuit to which convict labor may be applied.

Although there are two companies now engaged in the erection of works for the manufacture of iron from this bed, yet I am not aware that at this time iron is made from the ore in the whole state, and when it is known that we have in our midst ore enough and of the very best quality to supply all the iron our increasing population would want for ages to come, could it only be wrought into iron fast enough for their use, it must be regarded as highly beneficial to the state to employ the capital she must invest in a state prison, together with her convict labor, of the development of her rich mineral resources and supplying her own citizens with an important staple article of great and increasing use and for which she has heretofore been wholly dependent upon foreign nations and her sister states for a supply.

Can the manufacture of iron be made profitable to the state? The affirmative of this question can be sustained by showing that it can be profitably carried on any where; for the opinion has been repeatedly expressed by men of much practical experiance in the iron business in the older states, that this ore bed combined more natural advantages than any other bed they ever saw. And farther, practical business men, iron manufacturers from other states, have commenced operations involving a heavy outlay of capital, preparatory to the manufacture of iron from this bed. Such is the testimony of practical men.

The natural advantages which are apparent to every one are.

First, The quality of the ore; it being much richer than a great majority of the beds known to be worked.

Second, The ease with which it can be obtained for working, —it lying in a high ridge, but slightly covered with earth, and as easily shoveled as any ordinary gravel bank, scarcely needing a bar or pick.

Third, Situated in the midst of a densely wooded country, where charcoal can be obtained for a long period of time, at prices a little more than to pay the labor of making. And

Fourth, Situated in the midst of one of the most productive soils in the world, where labor can be supported as cheap as in any portion of the United States, and within less than forty miles of Lake Michigan, from whence it can be transported at a trifling expense to a ready market. And another, and important advantage in favor of the iron business, is, it has been found essential to the profitable employment of convict labor, that the labor bestowed should constitute the chief value of the manufactured article. Hence, the state of Vermont has found that the shoe business carried on at her state prison was ruinous; the manufactured article frequently bringing less than the cost of the stock, and she is about removing her state prison to a marble quarry. Whereas the cost of the ore and coal, or wood of which to make it would in this case constitute but a small item in the value of a ton of iron, for under the improved method of making charcoal in kilns, it could all be carried on within the prison yard by the convicts, so that the whole cost of labor of making iron beyond what could be performed by convicts, would be the delivery of the wood, and the ore in the yard.

But whilst it will not be contended, that the state, who must conduct all her institutions by her hired agents, can as successfully carry on any branch of industry as individual enterprize, whose vigilance is stimulated by self interest. Yet there are higher and nobler considerations than mere interest to the state, that should urge her to embark in this enterprize. She owes it to herself, to the cause of humanity, and the enlightened spirit of the age, that her justice should be tempered with mercy. That whilst she visits the transgressor of her laws with certain and condign punishment, she should so treat him whilst under her control, that when he has served out his time and is restored to society again, he should be a better man and better fitted to act the part of a good citizen.

Intimately connected with this object is the employment of her convicts in such a way as shall be the most conducive to their general health, and moral improvement. The various branches of labor in manufacturing iron and preparing the charcoal can all be done by convict labor which will necessarily give constant exercise in the open air, so very beneficial to the health of the convict, that it the more readily reconciles the mind to the restraints necessarily imposed, and prepares it for those moral impressions so essential to the reform of the convict, and to the peace and good order of society to whom he may be again restored.

Should it be objected that the employment of convicts in the iron manufacture would injuriously affect a large class of our citizens already engaged in that business, by bringing the convict labor in competition with that of the honest mechanic, and compelling him to work side by side with the discharged convict, or be compelled to abandon a trade he had spent years of honest industry to acquire, and on the successful prosecution of which he is dependent for a living. The objection would find a ready answer in the fact, that most probable for a long series of years all the convict labor of the state could be profitably employed in the manufacture of iron from the ore, thus furnishing the mechanic himself with the raw material used in his own operations. It is highly important that in a measure of so much moment, the state should start aright. She should avail herself of the wisdom and experience of the older states; and where they have erred in their institutions she should profit by their example.

With a more enlightened and better understanding of the human mind, the law of kindness is made to take the place of that of vengeance in our criminal code. Indeed there is no feature that more distinctly marks the progress of any nation from barbarism to civilization, than the modification and amelioration of her criminal code—and such has been the advance of many of the states of our union, in the management of their state prisons, and their system of prison discipline, that it has excited the attention of many of the older states of Europe, who have instituted commissions to investigate our systems with a view of their adoption. The solitary labor system of Pennsylvania, whilst it makes the criminal feel the weight of his punishment during the long solitary years of his confinement, leaves him to brood over his desolation, and to regard himself as cut off from society and the world, and unfitted for its social relations, and when discharged he acts upon those impressions; hence we find so many of their discharged convicts are soon returned.

The state of New York it is believed has been more fortunate in her adoption of a system of prison discipline at her Clinton prison. Although compelled in the first place to try the experiment of making iron by her convict labor, by the demands of her mechanics to be relieved from the ruinous competition and demoralizing influence of her mechanical trades, as carried on at her other prisons. She has been forced from the necessity of the case, to adopt what is termed the social system of prison discipline, and we have the testimony of all connected with that institution, of the happy influences it has upon the character and conduct of the convicts there confined. In the report before referred to, the agent who had charge of the convicts in the erection of the prison says:

"The attention paid to their little wants with frequent kind admonitions intended to cultivate obedience to the laws, to awaken their dormant benevolent propensities, encourage their self respect, and impress upon them the truth that our laws know not revenge, but inflicted their punishment for the necessary protection of society, and in the hope of their thorough reformation, all united to produce the most desirable effect on the minds of the convict, and greatly reduce the difficulties of keeping them in such an exposed situation. Their industry was excellent, often exceeding that of hired workmen, while their moral improvement from week to week was so evident to all that it was soon thought safe to cut off their shackles and chains from their ancles, having them incumbered through the day, but still securing them to the floor in the night by means of a chain and padlock. As no bad consequences followed this experiment, and the moral sense of the convicts seemed to be still progressing, it was finally deemed advisable to dispense with the irons altogether, even through the night. This was also done, and thus unchained one hundred and eighty-nine convicts, slept in two rooms on the floor of a board prison, without locks to its doors and with only four guards on duty at a time. After a while however, some half dozen of the convicts who were of the most abandoned robbers and burglars, commenced plotting an escape, by rising upon the guard in the night. But as soon as they made proposals to others to join them, the whole project was immediately and repeatedly disclosed to the officers.

So indignant were the great mass of the convicts at this ungrateful return for the humanity with which they were treated, that no doubt was entertained by the officers but that the attempt if made would have been almost instantly suppressed by their associates in confinement, and that they would have punished the offenders far more severely than would the officers and guards.

Permit me in conclusion to say, that I do not know but my remarks are extended beyond the range indicated by your inquiry, but they are deemed to be pertinent to the general subject, and with that view they are presented.

I am sir, your most obedient servant,

HIRAM BARBER.

His Excellency, Nelson Dewey.

No. 3.

# A COMMUNICATION
FROM
HENRY MERRILL,
ON THE SUBJECT OF A PENITENTIARY.

FORT WINNEBAGO, December 25, 1848.

Gov. Nelson Dewey:

Your circular directed to me on the subject of a state penitentiary was duly received, and I now proceed to answer the several enquiries so far as my knowledge extends; and in the first place I would state that if congress will grant to the state the military reserve at Fort Winnebago, for which it appears the United States have no further use, it will be by far the best location for the said institution within my knowledge, for several reasons, viz: Its central position within the bounds of the state; its healthy position, there not being a more healthy point in the western country, as proved by the army who have been stationed there for the last twenty years; it being surrounded by a rich farming country which is being daily improved. Its being near the Wisconsin river, where pine or hard lumber may be obtained in any quantities; having lime in its immediate neighborhood, and any quantity of good building stone upon the reserve. Its facilities of water communication with the great lakes and the Mississippi river, as soon as the improvements of the Fox and Wisconsin rivers are completed, which have been commenced by the state, (which can be finished in two years, in the opinion of all who are informed on the subject.) And finally the advantage to the state of having buildings already prepared which are so well calculated for the purpose, they being sufficient, in my opinion, for many years to come, with a small expense in enclosing the same with a stone wall. The buildings of the fort are built in a square, with a parade ground or court in the centre, 150 feet square. On one side there are two building 75 by 20 feet, and on the opposite side, two of 45 by 35 feet, and one 40 by 32; on the other side are two blocks, of 90 by twenty feet, all with substantial stone basements; and wood work above in a good state of preservation. Independent of these there is, outside, a hospital, 100 feet long by 20, with two wings, a surgeon's quarters well calculated for a family, a large store house, two stone magazines, two block houses, and an arsenal 26 by 35 feet, and several other buildings, such as barns, shops, &c.— The buildings are all substantially built and well finished.— In the reserve there is now six sections of land most of it good for cultivation, a part of which might be sold and thus funds raised to perfect the works,

In regard to mines, there is none in the vicinity.

In reference to the employment of convicts, I would say that there are many mechanical branches in which they might be engaged usefully and profitably to the state, without as much injury to mechanics as in the older states, on account of the scarcity of mechanics here, and on account of most of those that are here turning their attention to agriculture instead of following their trades.

It is believed that if an effort is made by the state, that congress will give the reserve for that purpose, as it has been stated that it will not be occupied by the United States again.

I am, sir, very respectfully, your ob't servant,

HENRY MERRILL.

No. 4.

A COMMUNICATION

FROM

R. G. CAMP.

ON THE SUBJECT OF A STATE PENITENTIARY.

ADAMS, SAUK COUNTY,
December 11, 1848.

SIR: In answer to the various inquiries propounded by yourself, in a circular forwarded to this place, relative to the location of a state penitentiary, I will, in the absence of Mr. Pratt, to whom the circular was addressed, give you the following answer:

1. With regard to the facilities of procuring good stone, lumber, &c. Within three-fourths of a mile of this village, there is an inexhaustable quarry of fine sand stone, which is readily worked to any desirable form or size, and which proves to be excellent stone for building purposes. There are also other quarries in the vicinity equally good. Pine lumber and the various kinds of hard lumber may be obtained at the mills in this village in abundance at $8 per thousand feet.

2. As to location, I would say there are a number of good sites for such an institution within a short distance of this place on the east bank of Baraboo river. The proper location, in

my opinion, would be from one fourth to half a mile easterly of the court house in this village. This location would be within a few rods of a saw-mill, the stone quarry, and an excellent bed of clay where brick might be cheaply made. At this point, also, a good water privilege might be secured to the institution, should it be thought desirable.

3. As to health, soil, &c., there is not probably a more salubrious and healthy location in the world than this. The water is good, the surrounding country is undulating, with a soil of the richest and most productive kind. A fall of about fifty feet in the Barraboo river, within the space of about one mile, furnishes a vast amount of water power at numerous points within the mile. I think it reasonable to say that when the contemplated improvement at Fox river shall have taken place, the commercial and mannfacturing advantages of this part of the country will be second to none in the state. That such improvement is perfectly feasible there cannot be a doubt, nor is there a doubt that Baraboo river, with a trifling expense may be navigated from the Wisconsin to the proposed site of the penitentiary. In addition to this, it is not visionary, I think, to say that the time is not far distant when a rail road, running north and south through the central part of this state, will intersect the canal from the Wisconsin to Fox river, thus opening a communication east and west by means of those rivers.

4. As to the productions, &c. Wheat, corn, oats, and the various kinds of vegetables are raised in profusion. Copper and iron ores are said by those who have made examination to abound in this vicinity.

5. As to what branch of industrial pursuit. For years to come I cannot conceive that convict labor can come in competition with the industry of the country, let their manufactures be what they may. There is a general destitution of mechanics in this part of the country, and the people are and must be for a long time, dependent on the east for most manufactured articles.

6. With regard to the most favorable location. Having visited most of the states, and many of the state penitentiaries, and other prisons, I can say without hesitation that I have never seen a location, taking into consideration its central posi-

tion; the profusion and cheapness of building materials, (such as brick, lime, stone, timber, and lumber,) and the pleasantness and undoubted healthiness of the place, that would, in my mind, at all compare with the one here recommended.

Respectfully yours,

R. G. CAMP.

No 5.

A COMMUNICATION

FROM

H. ALLEN, Esq.,

ON THE SUBJECT OF A STATE PENITENTIARY.

PORT WASHINGTON,
September 30, 1848.

Gov. Nelson Dewey:

In reply to a circular from the executive office, touching the advantages, &c., of this section of the state for a location for a state penitentiary; I have to say that by the information of others as well as from my own observation, I am of opinion that there are two good locations in this vicinity, one in this county, and the other in Dodge county. In the western part of this county, in the town of Hartford, there exists a good iron mine, in which the convicts could be employed without detriment to mechanical pursuits.

In the town of Rubicon, in Dodge county, there also exists an iron mine of still better quality, so far as examinations have been made, than in our own county. At both these places, good material is to be found for the penitentiary buildings; and from both points, markets for the products of the prisons are convenient. From Rubicon a plank or charcoal road is already in progress of construction to the nearest lake port town, and from Hartford it would be an easy task to reach a market. The distance from these two localities is about the same, about 30 miles.

Should the state deem it best to select as a site for the penitentiary a mining country, I know of no better localities than one of those I have mentioned.

Very respectfully, your ob't servant,

H. ALLEN.

No. 6.

WASHINGTON, November 20th, 1848.

To his Excellency, Nelson Dewey, Governor of the State of Wisconsin:

SIR: I have the honor to transmit to you a copy of the report on the subject of international exchanges which I have presented to those states, whose agent I have been appointed. I beg your favorable consideration of the subject of which it treats, and that you will invite to it the attention of the legislature of your state. It is my intention, before leaving America, to visit every state that has not yet co-operated in the plan; but if I should not be able to accomplish this purpose, I hope that the intrinsic merits of the system will commend it to the support of the whole American confederacy.

I have the honor to be, Sir;
With the highest respect,
Your excellency's
Very humble and ob't serv't,
ALEXANDRE VATTEMARE.

REPORT

OF ALEXANDER VATTEMARE ON THE SUBJECT OF INTERNATIONAL EXCHANGES.

WASHINGTON CITY, Nov. 20th, 1848.

To his Excellency, the Governor of Virginia:

SIR: I have the honor to submit my first report as the Agent for international exchange for the state of Virginia.

In this report will be considered—

I. The action of the Federal Government of the United States in relation to exchanges.

II. The action of the state legislatures upon the same subject.

III. A developement of the plan, showing the mode in which the operations of exchange are to be conducted; its expenses, the sources upon which it relies for revenue; the advantages to trade to be expected from its full realization and lastly, the moral bearing of the subject.

These subjects will be treated as briefly as their clear exposition will permit; and I earnestly invoke for them in advance, your candid and favorable consideration.

1. Upon my first visit to America, in the year 1840, I submitted to the congress of the United States, a memorial laying before that honorablo body the outline of my system of international exchange, and praying that its consideration might be referred to an appropriate committee, in order that such measures might be taken for its establishment as the committee in its wisdom should deem expedient. This memorial was presented on the 5th of February, 1840. It was referred to the joint committee on the library, which brought in a favorable report and the following resolutions, which were unanimously adopted by both houses:

1. *Resolved, by the Senate and House of Representatives of the United States of America in Congress assembled*, That the librarian, under the superintendence of the committee

on the library, be [authorized] to exchange such duplicates as may be in the library for other books or works.

2. That he [be authorized] in the same way to exchange documents.

3. That hereafter fifty additional copies of each volume of documents, printed by order of either house, be printed and bound for the purpose of exchange in foreign countries."

Encouraged by this liberal action on the part of congress, I returned to France, in the expectation that the most flattering tokens of the appreciation by the American nation of the kindly feelings of the French would follow me, and afford substantial aid in my new labors in consolidating my system on the other side of the Atlantic. But owing to the employment of the word "authorized" instead of "directed" in the resolutions, nothing was accomplished, and after an absence of eight years, which were devoted to the collection of objects of exchange in Europe, to be distributed in America, I returned to the United States to secure, on a broader and more permanent basis, the establishment of my system.

I either transmitted, during my absence, or brought with me on my return, a vast collection of legislative documents, scientific works, objects of art, &c., all of which were presented as tokens of esteem, good will, and brotherly feeling, by the French Executive, the Chambers of Peers and Deputies, by their excellencies the ministers of justice, war, navy, interior, commerce and agriculture, public instruction, finances and public works by the city council of the city of Paris; by the Academy of Science, the Academy of Moral and Political Sciences, and by the Museum of Natural History, as well as by the most distinguished statesmen, authors, artists, mechanicians, and private individuals of France, to the congress, the supreme court of the United States, to the departments of war, navy, and treasury, and to the states of Maine, Massachusetts, Vermont, Rhode Island, Connecticut, New Jersey, Pennsylvania, Maryland, Virginia, South Carolina, Georgia, Ohio, Louisiana, Indiana, Michigan, Kentucky, and Texas; also to the United States Military Academy at West Point; To the cities of New York, Boston, Philadelphia, and Baltimore; and to the universities of Cambridge, Brown's

Brunswick, and Waterville; to the colleges of Burlington, &c.; and finally, to the National *Institute* of the United States.

Bearing with me, thus, these rich fruits of the intellectual labors of the best minds of the old world, so valuable to the new, and so substantial an evidence of the willingness of the government and people of my own country to enter into an intellectual union with their brethren in America, I entertained the most sanguine expectations of success in the great undertaking to which I have devoted myself; and allow me to say, in advance that those expectations have not been disappointed.

The enlightened liberality of the statesmen and people of America, has recognized at once the great value of the plan, and has promoted a generous and hearty reciprocation.

On the 9th of February, 1848, I laid before congress a second memorial, giving an account of the success of my labors during my absence; presenting the proofs of the favorable disposition of the governments and leading minds of Europe towards the plan, assigning the reasons why their own resolutions, passed eight years before, had not been carried into effect; and praying—

1st. That the law securing patent rights and copy rights may be so amended as to require all authors or publishers, taking out copy rights for works to be printed, to place in the depot of the central agency at New York, subject to the order of government, copies of such work, in addition to the two copies now required to be deposited in the library of congress.

"2d. The enactment of a law, (accompanied by all necessary guards for the prevention of fraud,) admitting duty free all works and other objects addressed by governments abroad, through the general depot of exchange in Paris to the branch depot in New York, exclusively for the purpose of international exchange.

3d. That the resolutions heretofore passed by both houses of congress, in July, 1840, in the words following, (and which have hitherto remained a dead letter on the statute book,) be carried into full effect, viz;

"1. *Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the librarian, under the superintendence of the committee on the library, be [authorized] to exchange such duplicates as may be in the library, for other books or works.

"2. That he be [authorized] in the same way to exchange documents.

"3. That hereafter fifty additional copies of each volume of documents, printed by order of either House, be printed and bound for the purpose of exchange in foreign countries."

"To effect this it will be requisite to repass a similar resolution substituting the words 'and is hereby directed and required' for the word 'authorized,' and also, by assigning a place of deposit for, or otherwise disposing of, the fifty copies ordered to be furnished for exchange.

"4. That the above regulations be understood as applying exclusively to works of a scientific character, and promotive of intellectual improvement; works of a different description being allowed to seek the usual channels opened by those engaged in the book trade.

"5. That duplicates of the objects of curiosity and scientific interest, brought home by the late exploring expedition, (so honorable to the intelligence and liberality of your government and country,) be directed to be assigned, by those having official control of the objects so collected, for the purpose of being exchanged on authorized demand for them, for objects of a similar kind furnished by European governments or learned bodies."

On the 4th of May, 1848, the Hon. Mr. Murphy, from the joint committee on the library of congress, brought in a report highly favorable to the petition of the memorial, and which closes with the following recommendation:

"In the views of the memorialist generally the committee are happy to concur. After the success which has thus far crowned his unwearied and voluntary labors, they think his expectations of aid from us have been justly formed, and should be promptly satisfied. They therefore recommend that the committee be authorized to establish such agencies, and organize such a plan of donation and exchange as they may deem best for this purpose; and that all books sent to the federal or state governments, to any departments, or libraries of either, to the academy at West Point, or to the National Institute, be admitted duty free; and that the sum of two thousand dollars be appropriated to enable the committee to carry the measure into effect."

A bill in harmony with these recommendations was reported and on the 26th of June became a law.

"AN ACT to regulate the exchange of certain documents and other publications of congress.

Be it enacted by the te Senate and House of Representatives, of the United States of America in Congress assembled, That the joint committee on the library shall appoint such agents as they may, from time to time, deem requisite, to carry into effect the donation and exchange of such documents and other publications as have been or shall be placed at their disposal for the purpose.

Sec. 2. *And be it further enacted,* That all books transmitted through such agents for the use of the government of the United States, or of any government of a state, or of its legislature, or any department of the government of the United States, or of a state, or of the academy at West Point, or of the National Institute, shall be admitted into the United States duty free.

Sec 3. *And be it further enacted,* That the sum of two thousand dollars is hereby appropriated, out of any money in the treasury not otherwise appropriated, and the same is put at the disposal of the library committee, for the purpose of carrying into effect such donation and exchange, and paying the expenses already incurred in relation thereto.

Approved June 26, 1848."

In accordance with the first provision of this act, I was appointed the agent of the United States for international exchange by the following resolutions:

JOINT LIBRARY COMMITTEE OF CONGRESS,
July 25th, 1848.

"*Resolved,* That Alexandre Vattemare be appointed agent to the joint committee on the library to carry into effect the donation and exchange of such books and other publications as are or shall be placed at the disposal of the committee for this purpose, under the act 'to regulate the exchange of certain documents and other publications of congress;' said agent to be in all respects, subject to the directions of the committee.

"*Resolved*, That said Vattemare's agency shall extend only to exchanges between the United States and foreign countries or governments, and not to domestic exchanges.

"*Resolved*, That the chairman draw from the treasury, and place in the hands of the said Alexandre Vattemare, fifteen hundred dollars, part of the sum appropriated by the said act, to be applied to his personal expenses already incurred, and to be incurred during the year ending 30th June, 1849, and to defraying the expenses of clerk hire, freight, rent of rooms, and other necessary expenditures of his agency; and that said agent shall annually account to and with the committee concerning the expenditure of said sum.

"*Resolved*, That said Vattemare be furnished, for the purposes of exchange, with the following works."

[Here follows a list of the works presented.]

One of the most important features of the law above quoted is that which provides for the reception of all objects of exchange duty free. The heavy duties hitherto imposed have formed an important drawback upon the operations of exchange. To carry out this provision, and to prevent its being made the occasion of frauds upon the revenue, the secretary of the treasury has issued the following circular:

"*Circular instructions to collectors and other officers of the customs.*"

TREASURY DEPARTMENT,
August 14th, 1848.

"Congress having by the act, entitled 'an act to regulate the exchanges of certain documents and other publications of congress,' approved 26th June, 1848, adopted the system of international exchanges, thereby manifesting a due appreciation of its importance and value, the duty devolves upon the department to aid in carrying out the intentions of congress, by the establishment of such needful regulations as will, whilst facilitating this great enterprise, protect the system itself from abuse as well as the revenue from any attempted frauds and impositions.

"It will be perceived that this act exempts from duty all books, transmitted through the agents appointed by the joint committee on the library, 'for the use of the government of the United States, or of any government of a state, or of its legislature, or of any department of the government of the United

States, or of a state, or of the academy at West Point, or of the national institute.'

"The joint library committee of congress, under date of the 25th July, 1848, in pursuance of the authority vested in them by the beforementioned act, adopted amongst others, the following resolutions, viz:"

"*Resolved*, That Alexandre Vattemare be appointed agent to the joint committee on the library to carry into effect the donation and exchange of such books and other publications as are or shall be placed at the disposal of the committee for this purpose, under the act to regulate the exchange of certain documents and other publications of congress; said agent to be in all respects, subject to the direction of the committee."

"*Resolved*, That the said Vattemare's agency shall extend only to exchanges between the United States and foreign countries and governments. and not to domestic exchanges."

"By the foregoing resolutions it will be perceived that the agency to conduct these exchanges has been conferred upon Mr. Alexandre Vattemare, the author of the system, to whose talents, zeal, and indefatigable exertions, the civilized world is indebted for the conception and consummation of the system, destined, it is confidently believed, to realize all the benefits anticipated by its distinguished author and promoter.

"According to the suggestion of Mr. Vattemare, the central agency of this enterprise will be established at Paris, with subordinate agencies in the capitals of other states or countries uniting in the system. To prevent fraud and imposition, all documents and other publications transmitted to the United States must bear the stamp of the central agency at Paris, to be impressed, in the case of books or pamphlets, on the *first* and *last* pages of the text of each volume; in the case of charts, maps, prints, &c., the stamp to be on some convenient place on the face thereof. The boxes or packages will be addressed to the care of the collector of the customs of the port in the United States to which they may be shipped, accompanied by a letter of advice and a descriptive list. On their arrival the collector is enjoined to take careful charge of the same, notifying the department of their receipt, and await instructions for their disposal.

R. J. WALKER,
Secretary of the Treasury.

In addition to the law above given, which recognizes the system, and provides for its support, congress passed a number of joint resolutions, which are given below, setting apart for purposes of exchange a large number of important works.

"*Acts and resolutions of Congress in relation to international exchanges.*

IN SENATE OF THE UNITED STATES,
April 27, 1848.

Resolved, That the secretary of the senate be authorized and directed to purchase one hundred of Hickey's edition of the constitution of the United States. and to deliver the same in the name of the senate of the United States, to Mr. Alexandre Vattemare, of Paris, to be distributed by him in France according to his system of national exchange of books.

"Attest: ASBURY DICKINS, *Secretary*.

"RESOLUTION authorizing the presentation to the government of France of a series of the standard weights and measures of the United States, and for other purposes.

"*Resolved, by the Senate and House of Representatives of the United States of America in Congress assembled*, That the secretary of state be directed to furnish to Alexandre Vattemare one complete series of the standard weights and measures of the United States, now in the Department of State, to be presented to the government of France, and that he furnish to the joint committee on the library twenty-five copies of Little & Brown's edition of the laws of the United States, to be disposed of by them for purposes of international exchange.

"SEC. 2. *And be it further resolved*, That seven copies of the exploring expedition now published, and an equal number of such of the works of the same as may hereafter be publish be placed at the disposal of the joint library committee of congress, for the purpose of international exchange.

"Approved June 30, 1848."

The large amount of correspondence necessary to the proper conduct of the system renders the postage a tax of considerable weight. The senate, in order to give every facility to its operations, passed the resolutions which follows, granting the privilege of free transmission to all letters and papers relating to exchange. This resolution was lost in the house, in the last hours of the session, by a few votes:

"*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That Alexandre Vattemare, agent of the United States for international exchanges, be, and he is hereby authorized to frank letters or packages containing books, public documents, maps, specimens of the arts, or medals, sent to him from any foreign country to the United States, or from the United States to any foreign country; and also, to receive letters and packages appertaining to international exchanges free of postage: this privilege to extend to the mail lines of the United States to foreign countries: Provided, &c., &c.

It is hoped that the importance of this measure, will be so apparant upon the farther operation of the system as to secure its adoption by a future congress.

An arrangement has been made with the secretary of the senate and the clerk of the house of representatives, as well as with the various departments of the federal government, by which a regular interchange of all official documents published by them shall be made, as fast as these documents are issued, for documents of the French government. These documents will be transmitted by each steamer, and thus each of the two governments will be put in immediate possession of all the public proceedings of the other; a measure which cannot fail to produce the happiest results upon the legislation of both. In his letter complying with my request that this arrangement might be made with regard to the proceedings of the senate, the secretary, the Hon. Ashbury Dickens, makes the following remarks:

"The judgment of the civilized world has sanctioned your scheme of international exchanges. Of that comprehensive work one of the most important branches is the prompt communication, among enlightened nations, of the proceedings of their several legislatures, and the documents connected with them.—Each is thus enabled to profit early by the wisdom and experieuce of all.

"Between the two great republics of the old and the new world, more especially, should this mutual aid be active and complete. The measure in which you ask my co-operation is well calculated to make it so."

Liberal as has thus been the spirit in which the federal congress has received and acted upon the proposals for the establishment of an intellectual union between the old and new worlds, the various departments of the government were in no respect behind them. All seemed to share in a generous rivalry of good feeling and substantial encouragement for the cause of universal peace. The following brief summary will give some idea of the action taken by the various departments of the general government, in relation to the system of exchanges:

The department of state has contributed a collection of valuable books, among which may be mentioned a complete collection of Niles' Register, and an immense number of volumes of the local laws of the various states of the union, &c, &c.

The department of the treasury has added largely to the material of exchange by contributions of books, documents, circulars, &c., &c. Among these may be more particularly noticed complete collections of the documents on the commerce and navigation of the United States, many hundred circulars, collections of tariff laws, and in short, every thing relating to the business of the department. In addition to these valuable contributions of books, the secretary of the treasury has rendered immense service to the system by the liberal manner in which he has interpreted and acted upon the law of congress, in the circular which has been already quoted. Besides this circular, which will so greatly facilitate the business transactions of the system, he has issued a second one, scarcely less important as a measure of convenience and economy, for the storage and forwarding of so great a number of large and heavy cases as must be constantly circulating in the channels of exchange, must form an item in the expenses of the system of no inconsiderable importance.

"TREASURY DEPARTMENT,
October 23, 1848.

"SIR: Referring you to the circular instructions from this department of the 14th August last, in relation to the system of international exchanges proposed by Mr. Alexandre Vattemare, and adopted by the act of congress 'to regulate the exchange of certain documents and other publications of congress,' approved the 26th June, 1848, I have now to advise you that the port of New York has been selected as the depot from which the articles in exchange will be transmitted from the United States to France.

"You are accordingly authorized and directed to cause to be carefully kept in the *Atlantic dock stores* of your port, all such packages of books, &c., as may be sent under the agency of Mr. Vattemare from any part of the United States destined for France, in exchange, until forwarded by Mr. Vattemare to their destination.

Very respectfully, your obedient servant,

R. J. WALKER.

C. W. Lawrence, Esq., *Collector of Customs, New York.*"

The department of war, (under which is included the military academy of West Point,) has given more than 500 volumes of valuable military works.

The department of the navy has made presentations of the greatest importance and value. Besides a large collection of books, maps, charts, and drawings, it has added models of the vessels of every class, and of boats, specimens of arms, and a collection of all the varieties of wood employed in the construction of government vessels.

The department of the post office has presented collections of its reports and circulars, and numerous maps of the post roads of the United States.

The patent office has contributed more than 500 volumes of reports and other works, together with drawings and specifications of a large number of the most important inventions patented during the past year.

The office of the coast survey has given six complete collections of the maps thus far made under its direction.

The preparation of the weights and measures, voted by congress, has also been made under the control of this office.

The observatory has furnished numerous maps and charts, and works on meteorology, astronomy, and navigation.

The national institute has contributed a collection of scientific works.

The city of Washington has presented a very handsome collection of books, the gifts of the citizens of Washington to the city of Paris. The catalogue of these works is contained in a handsome pamphlet, printed at the expense of the city, and which also gives a full report of the proceedings of a public meeting of the citizens, called by the mayor, for the purpose of expressing the good will of the federal metropolis towards her sister city—the intellectual centre of the old world. The books have been handsomely bound and inscribed, and form a gift truly worthy of the capitol of the American nation.

From the foregoing statement, purposely brief, it will be seen that the system of exchange has been received with the most gratifying unanimity of approval and encouragement by every branch of the federal government. It has been testified not only by munificent gifts, but by legal provisions which secure, on a firm and liberal basis, the future operations of exchange. The states which have, and shall hereafter co-operate in its support may transmit the objects which they wish to exchange to the custom house at New York, with the certainty that they will there be safely kept, subject to the order of the agency; while, at the same time, the returns made from Europe will be received at the same depository, to await an order from their respective destinations. The government has thus virtually constituted one of its own most important functionaries the agent for the safe-keeping and transmission of the material of exchange. The effect of this measure upon the regularity and stability of the operations of a system are too obvious to need comment.

The United States Mint, at Philadelphia, has been directed by the secretary of the treasury, to furnish a complete series of the coins of the United States, together with copies of all medals ordered by the government. They are in return for a series of medals illustrative of the history of France, presented by the French government to that establishment.

The American colonization society, though not connected in any way with the government, may yet with propriety, be mentioned here as a public establishment, having its business centre at the federal metropolis. The following letter from the secretary of the society will show the willingness of that association to co-operate in the establishment of the system of exchange.

"Colonization Rooms,
Washington City, Sept. 15, 1848.

My dear Sir: Being aware of the efforts which you are making to establish a system of national exchanges, and desiring to contribute something towards so great and noble an object, I present herewith, in the name of the American colonization society, one set of the African repository, its monthy publication, and of its annual reports, together with a map of Liberia, census, &c., for the minister of marine of your county, and another set for the library of the city of Paris. For these publications will be found a complete history of colonization as carried by this society on the western coast of Africa, has already resulted in the establishment of the independent republe of Liberia.

"Thus, through your indefatigable efforts, any citizen of Paris or strangers visiting there, can make himself acquainted with the history and prospects of one of the noblest schemes of philanthropy and benevolence which mark the present age.

"The Republic of Liberia would doubtless be glad to participate in the benefits which you are bestowing upon mankind. It is true they as yet have no books; they, however, have two newspapers, which have been regularly published for several years; they have also a volume of their laws published by authority, and from one of their own press. They have also great richness in their animal, vegetable, and mineral kingdoms, and could doubtless furnish, in return for books, many objects of interest to your country.

"As everything connected with Africa, and with the history of colonization in other parts of the world, is interesting and valuable to the members of our Society, any contribution of the kind which you may have in your power to collect for us will be most thankfully received, and you will thus add another to the many reasons which our countrymen have to cherish you in their memories.

I am, dear sir, your very obedient servant,

W. McLAIN, Sec. A. C. S.

A. VATTEMARE, Esq., *Washington city.*"

In addition to the works mentioned in the above were many others illustrative of the history of colonization, specimens of the fruits and woods of Liberia, &c., &c.

II. Having thus given a succint account of all that has been done at the seat of government for the support and encouragement of the system of exchange, the next branch of the report, stated above, will be a consideration of the action taken by the state legislatures upon the subject.

MAINE.—During my first visit to America I submitted a memorial to the legislature of the state of Maine, which was referred by that body to its joint committee on the library, from whose report I beg leave to make the following extracts:

"The committee would recommend the passage of the resolves which are appended to this report. They propose in these to exchange the laws and resolves, and public documents, published by the authority of this state, for a similar return from France and other European governments."

* * * * * * *

"The committee still further recommend that a sum not exceeding one thousand dollars be appropriated, to be expended in promoting a system of exchange between Maine and the governments of Europe of the productions of natural history, the works of perfected art and of literature. The rich returns which will be derived by our country, whose institutions of science and literature are yet in their infancy, can hardly be appreciated or overated."

The resolutions accompanying this report set apart, for the purpose of exchange, fifty copies of all the state documents, authorizing the governor to transmit them to the accredited agents of the system, and place at his disposal a sum of not more than a thousand dollars, "for the collection and exchange of original specimens of natural history and productions of useful art."

Preferring that the system should be established upon a *permanent basis*, rather than have a brilliant beginning and speedy death, I opposed so large an appropriation as the highest limit recommended by the committee, on the ground that it would afford a mark for the advocates of retrenchment, and thus jeopard the future existence of the plan. The legislature, in accordance with this suggestion, finally determined upon an annual appropriation of three hundred dollars.

In July, 1847, after an absence of six years, I returned to the state of Maine, whose agent I had been appointed upon my first visit to America, and on the 22nd of that month, the governor, by a special message, invited the attention of the legislature to the subject of my mission. The message was referred to the joint committee on the library, which brought in a highly favorable report, and recommended the passage of numerous resolves, from which we select the following:

"*Resolved*, That while the expensive and useful books and documents with which M. Vattemare has been entrusted by various authorities and institutions in France, for the library of this state, should be received with the respect due their intrinsic value and the distinguished sources whence they emenated, they possess much higher interest as tokens of the feelings of good will of the French nation towards America; and that we cordially reciprocate this sentiment, with a grateful remembrance of ancient obligations, and with the hope of a continued and increasing friendship between the two countries.

"*Resolved*, That duplicate copies of various works in the state library (not otherwise required) be tendered M. Vattemare in continuation of the system of international exchanges so auspiciously commenced. The selections to be made under the supervision of the secretary of state.

"*Resolved*, That one thousand copies of "Instructions on the best mode of collecting, preserving and transporting objects of Natural History," be printed, under the superintendence of the botanic surveyor of the state, and distributed, under his direction, to those societies and individuals within the state that might aid in promoting the designs of said instructions, reserving to M. Vattemare the number of copies of the "Instructions" he may desire, for his own use."

The report of the committee, and all the proceedings of the government of Maine in relation to exchanges, have been printed in an elegant executive document, which reflects the highest credit upon her typographical skill and taste.

The whole action of this state has been in the highest degree honorable to her liberality and appreciation of learning and the arts, and has evinced the most praiseworthy anxiety to place within the reach of her people all the elements of increased cultivation and improvement which the literature, science, and art of the Old World can afford. It is hoped that arrangements will be made for securing the permanence of her appropriation for the support of the system, which will enable the agency to rely with confidence upon it as one of its constant means of support.

VERMONT.—Early in November, 1847, in accordance with a previous notice, I visited Montpelier, to lay before the legislature of Vermont an exposition of the system, and to request their co-operation. The governor at once communicated the fact to the legislature by a special message, in which he speaks of the benefits likely to result from the adoption of the system as "of the highest value," and such as "should commend it to the support of every intelligent and high-minded people."—An address was delivered before the legislature, explaining the plan, and giving an account of what had been done towards carrying it into operation. The message of the governor was referred to the joint library committee, which brought in an excellent and eloquent report, from which I beg leave to make the following extracts:

"The splendid specimens of art, and the gorgeous volumes exhibited in the state library, [the presents of the French nation,] naturally suggest the inquiry, "what can we give in exchange for things like these?" Your committee answer, almost in the words of the memorialist,—all products of American genius, taste, industry or invention—whatever serves to illustrate our history—our public documents and laws—the rich stores of nature herself—our plants, our animals, including quadrupeds, birds, reptiles, fishes and insects—our minerals, specimens of our various kinds of wood, with the description, uses and peculiarities of each—these would, from their very novelty, afford to the scientific men of Europe greater pleasure than the most costly book."

* * * * * *

"Several of our sister states have anticipated us in this enterprise, and already enjoy their reward in their public libraries, enriched by the productions of European genius, and in their public halls and galleries adorned with the triumphs of ancient and modern art. What then shall be done by Vermont? Shall this massive and beautiful structure be the depository of treasures within, whose splendor shall surpass its architectural beauty? If we would become a people of refined taste and high endowments, and take rank with the most intelligent nations of the earth, now, and now only, is the propitious time to begin."

The resolutions accompanying this admirable report recommend that all duplicates in the state, not required by law to be preserved, be set apart for the purpose of exchange, and that five hundred copies of "Instructions on the best mode of collecting, preserving, and transporting objects of natural history," be printed for distribution.

The act which followed appropriated two hundred dollars for the support of an agent of exchanges.

The wishes of the legislature were fully carried out; a handsome collection of duplicates was placed in my hands, to be presented in the name of the state to European institutions.

MASSACHUSETTS.—It would swell this report far beyond the limits I have prescribed for myself, to dwell in minute detail upon the action taken by each state. I shall be obliged, therefore, to confine myself to as brief a statement as possible of their proceedings. The following resolves and accompanying letter will sufficiently explain the course adopted by Massachusetts:

Resolves to promote mutual literary and scientific exchanges with foreign countries.

"*Resolved*, That the secretary of the Commonwealth, under the direction of his excellency, the governor, be authorized to exchange copies of the state maps of Massachusetts, not exceeding twenty in number, and bound copies of laws and legislative documents of the commonwealth for the current political year, not exceeding fifty volumes of each, for books and other works of science and art from foreign countries, to be deposited in the library of the general court. And the secretary is hereby authorized to cause fifty copies of each of the said documents, for every future year, to be printed, over and above the number, to be bound in volumes and set aside for the purpose of effecting therefor said exchanges hereafter.*

"*Resolved*, That his excellency, the governor, be authorized to appoint some suitable person, residing in the city of Paris, France, to be the agent of the commonwealth, in transmitting to, and receiving from, the secretary's office all such books, and other works of science and art, as may be addressed to his care, in pursuance of the object of the preceding resolve, and to audit and allow all reasonable charges of said agent for the receiving, packing, carriage, and exportation of said objects of exchange; provided, that the total sum so expended shall not exceed three hundred dollars.

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*According to this resolve, 150 volumes of legislative documents, 13 copies of the geological reports, 52 scientific reports, 20 maps, have been transmitted.

House of Representatives, February 26, 1845. Passed.

SAM'L H. WALLEY, Jr., *Speaker.*

In Senate, February 27, 1845. Passed.

LEVI LINCOLN, *President.*

February 27, 1845. Approved.

GEORGE N. BRIGGS.

SECRETARY'S OFFICE, March 15, 1845.

A true copy. Attest:

JOHN G. PALFREY, *Secretary.*

"MY DEAR SIR:—I send you herewith a copy of resolves passed by our legislature at its present session.

"I have it in charge from his excellency, the governor, to say that he requests you to accept the appointment of agent under the second of the resolves, and that he has no doubt that this commonwealth will derive important benefits from your enlightened and liberal exertions.

I am, dear sir, with the highest regard,

Your friend and servant,

JOHN G. PALFRY,

Secretary of the Commonwealth.

To A. VATTEMARE, Esq., *Paris, France.*"

RHODE ISLAND.—The letter of Prof. Jewett, which follows, gives a succinct statement of the action of this state:

BROWN UNIVERSITY,
Providence, January 29th, 1846.

"DEAR SIR:—Your letter to the governor has been received, presented to the legislature, and referred to the committee on education; the chairman of the committee, M. Goddard, formerly a professor in our college, presented a report, with resolutions, thanking yon for your generous exertions and particularly for your handsome presents, and voting several extra copies of all reports and documents published by the state, and authorizing the governor to pay all charges that may occur for the packing up and transportation of said books, and any others to be sent to us from Paris, through your agency." This was carried through the house and senate unanimously, and it is, I believe, the only question which has been decided unanimously in our legislature for a long time.

"You will probably receive the report and the votes by this steamer, or the next.

"The Rhode Island Historical Society have also passed votes of thanks and resolutions in favor of your project, which you will receive soon."

New York.—On the 25th of October 1847, the joint library committee of the two houses to which was referred the message of the governor, the communication of the trustees of the state library, and other documents relative to the system of international exchanges, brought in a report in which, after commenting in the most approving terms upon the system, and showing the rich fruits to be anticipated by the state, and the country from its establishment, they recommend the passage of the act accompanying the report, in the following remarks;

"It seems to your committee, proper that some testimonial more substantial than mere words of kindness and approbation should be afforded in this enterprise—that, in order to secure the future success and *permanency* of the system, some suitable person in Europe should be appointed, as the agent of this state, in transmitting and receiving all such books and other works as are intended as subjects of international exchange.

"For that purpose, as well as for facilitating and encouraging the interchange between the several states of the American Union, your committee recommend to your consideration the bill, a copy of which is hereto annexed, marked A. An appropriation of five hnndred dollars, for the promotion of these objects, was made by this state in the year 1846. (See session laws of 1846, p. 479.) The states of Maine and Massachusetts have, since the year 1844, made an annual appropriation of three hundred dollars each, for the support of the agency in Paris only. These sums, though in themselves small, will, if appropriated by all the states and governments with which M. Vattemare has opened his system of interchanges, it is supposed, be sufficient to defray the expenses of the agency, together with the innumerable incidental expenses of the system and secure to it a permanence which will ensure its entire success."

(A.)

"**AN ACT** to provide for the support of the System of International, Literary and Scientific Exchanges.

"*The People of the State of New York, represented in Senate and Assembly do enact as follows:*

"§ 1. The governor, by and with the advice and consent of the senate, shall appoint some suitable person, residing in Europe, to be the agent of this state in transmitting to and receiving from this state all such works as are intended as subjects of international exchange.

"§ 2. The sum of one thousand dollars is hereby appropriated, to be paid out of the treasury, on the warrant of the comptroller, to the regents of the university, to be by them applied in defraying the expense of such agency, and in such other manner as they shall deem best for the promotion of the system of literary and scientific international exchanges, founded by M. Vattemare, and exchanges between this state and the other states of the union.

"§ 3. The further sum of six hundred dollars, to be paid as aforesaid, in each of the years 1848 and 1849, is hereby appropriated for the same purpose.

"§ 4. This act shall take effect immediately.

NEW JERSEY.—The committee on education of this state, on the 21st. of January, 1848, submitted a report, in which they dwell with great force upon the moral advantages of the plan, and conclude in the following words:

"These exchanges are calculated to produce a two-fold benefit. On the one hand, they will impart and extend a knowledge of our country, where it is now comparatively unknown; and on the other hand, excite and increase in our land, and among our own population, a spirit of inquiry, and desire of more perfect information as to what other nations are accomplishing in the varied walks of science, literature, and art, which may bring forth the good fruits of wholesome emulation and amicable rivalry.

"Entertaining these views, your committee recommend for adoption the following joint resolution:

"*Resolved by the General Assembly of the State of New Jersey, (Senate concurring,)* That the secretary of state be directed to present to M. Vattemare, and through him to the chamber of deputies and the minister of commerce and agriculture of France, the thanks of the legislature of the state of New Jersey, for the valuable present of books made by them to this state, and, as a slight return for the same, that M. Vattemare be presented with copies of our state documents and laws, together with such other books which may throw light upon the history and resources of our state, as your committee shall select from the library of the state, to be distributed by him in such manner as he may think best calculated to effect the object of this important enterprise."

The joint resolutions adopted by the legislature are as follows:

"*Joint resolutions relative to* M. A. VATTEMARE'S *system of International Literary and Scientific Exchanges, and to provide for the support of an agency at Paris, in France.*

"1. *Be it resolved by the Senate and General Assembly of the State of New Jersey,* That the sum of three hundred dollars be, and the same is hereby appropriated to defray the expense of an agency in the city of Paris, in France, for the purpose of receiving and transmitting such works as may be made the subject of international exehanges.

"2. *And be it resolved,* That the governor of this state be, and is hereby authorized, to appoint some suitable person as agent for the state of New Jersey at the city of Paris, in France.

"3. *And be it resolved,* That the said sum of three hundred dollars be transmitted by the secretary of state, whenever officially informed that such agency has been duly established; and that the said agent be requested to report semi-annually, to the governor of this state, of all his transactions and proceedings relative thereto."

PENNSYLVANIA.—My first application to the state of Pennsylvania was made on the 10th of April, 1848. Although it was the last day of the session, I was received and heard with the utmost kindness, and the following handsome preamble and resolutions unanimously adopted:

"*Resolutions relative to International Exchanges, proposed by Alexandre Vattemare.*

"WHEREAS, Monsieur Alexandre Vattemare, a citizen of the republic of France, having patriotically devoted his time, talents, and fortune, for a period of twenty years, to bring about and perfect a system of international exchange of specimens of natural history and works of science and art between the different nations of the world;

"AND WHEREAS, said Monsieur Alexandre Vattemare having presented to the commonwealth at various times, since the year 1843, a large number of rare and valuable works, which have been deposited in the state library;

"AND WHEREAS, said Monsieur Alexandre Vattemare having, at the request of the Pennsylvania delegation in the house of representatives in the congress of the United States, visited the capital of this commonwealth for the purpose of conferring with the legislature and officers of the government in reference to the most expedient measure to be pursued in furtherance of his most praiseworthy and important enterprise;

"AND WHEREAS, the present session of the legislature being about to expire, it is impracticable for it at this time to take such part in the consideration of the question as it otherwise would take great interest and pleasure in doing; therefore,

"*Be it resolved, by the Senate and House of Representatives in General Assembly met, and it is hereby resolved by authority of the same,* That the governor and secretary of this commonwealth be, and they are hereby authorized and requested to confer with said Monsieur Alexandre Vattemare, during the recess of the legislature, upon the subject referred to in the preamble to this resolution, and to adopt such measures as they may deem most expedient to carry out the object in view, and report thereon at the next session of the legislature.

WILLIAM F. PACKER,
Speaker of the House of Representatives.
WM. WILLIAMSON,
Speaker of the Senate.

Approved the tenth day of April, one thousand eight hundred and forty-eight.

FRS. R. SHUNK."

DELAWARE.—The governor of Delaware, in a letter dated January, 1848, expresses his intention to "lay the plan before the next legislature, (in January, 1849,) with the expression of (his) cordial approval," and promises to give to the promotion of my views not only the influence of an official recommendation, but the weight of his personal sanction.

MARYLAND.—At the December session of the legislature, in 18 1, the state librarian made a report, in which he recommended the adoption of the system of exchange; and on the 10th of March, 1842, the following resolution was adopted:

"*Resolution of the General Assembly of Maryland, passed March* 10, 1842.

"No. 11. *Resolved by the General Assembly of Maryland,* That fifty copies of the laws, public documents, and journals of the senate and house of delegates. of the number annually printed for distribution among the several counties and Howard district of this state, shall be, and the several printers of the legislature are hereby authorized to deposite the same in the state library for the purpose of exchange in foreign countries; that the librarian be, and he is hereby authorized and required, to have the same bound, and to transmit the above extra copies of the laws, public documents, journals of the senate and of the house of delegates, together with such surplus books, now remaining in the library, as the joint committee on the library may direct, to the agents of foreign countries in the United States authorized to receive the same for the above purpose."

On the 9th of March, 1844, the following resolution was adopted:

"*Resolution, passed March* 9, 1844.

"No. 53. *Resolved by the General Assembly of Maryland,* That, for the purpose of carrying into effect the resolution of December session, 1841, No. 11, directing the librarian to porform certain duties, that his excellency the governor be authorized to pay, out of any unappropriated money in the treasury, such sums of money as may be necessary, under the said resolution, to defray the expenses incurred in the exchange of surplus books, documents, &c., with the agents of foreign countries, as may from time to time be authorized by the joint committee on the library."

VIRGINIA.—On the 5th of April, 1848, the governor of Virginia addressed to me a communication, from which I beg leave to make the following extract:

"EXECUTIVE DEPARTMENT,
Richmond, Virginia, April 5, 1848.

DEAR SIR: You will receive herewith, sundry resolutions of the general assembly of Virginia, adopted on the 23d of March, 1848, in which that body, expressing the sentiment of Virginia, approve your 'noble design,' applaud the spirit which conceived, and the enthusiasm which has achieved it, and tender you the agency for this state for the purpose of sustaining and continuing it."

The resolutions accompanying this letter were the following:

"*Resolutions of the General Assembly of Virginia.*

"Whereas the legislature of Virginia regards with interest the noble design of a national interchange of productions of art, science, industry, and natural history, projected by Mons. Alexandre Vattemare, and patronized with such magnificence by the French government, and is desirous of contributing to a work so important—

"*Resolved by the General Assembly*, That the spirit which has conceived this design is as admirable as the disinterested enthusiasm which has achieved it; and that this legislature, as a testimonial of its appreciation of the character and services of its distinguished author, hereby invite him to visit the halls of legislature during the session of the legislature, and hereby tender to him the appointment of agent for the state of Virginia for conducting the exchange of such subjects as may be presented by Virginia to France.

"*Resolved*, That the legislature has learned with gratitude that France, of whose prosperity we always hear with pleasure, and in whose misfortunes we always sympathize, has presented to Virginia literary works of a rare, useful, and costly character, for which it is incumbent to make some return, even if inadequate.

"*Resolved*, That the state librarian be instructed to forward to the agent of international exchanges such copies of the code and of the law reports, of the journals and other legislative documents, or other works, as may be spared without detriment to the library. He shall forward such reports of the meral, social and political statistics of Virginia, as may tend to diffuse amongst other nations a correct knowledge of her institutions, her condition, and her capacities; that he shall likewise forward any private donations intended for the department of international exchanges; and that he be required to report annually to the joint committee of the library."

INDIANA.—The following letter from the governor of this state, with the resolutions which accompany it, will show the highly liberal course which she has pursued in relation to exchanges. I ought to add that all the proceedings of her legislature upon the subject have been printed together in an executive document which, for typographical beauty, would do credit to the oldest state in the union.

INDIANAPOLIS,
Indiana, March 2, 1848.

DEAR SIR: Your letter and the accompanying documents with which I was favored, were duly laid before the legislature of this state at its last session, with a recommendation of your proposed system of international literery exchanges. In accordance with my expressed wish, a joint resolution was passed by that body, a copy of which I take pleasure in enclosing to you; the terms of which, although not as liberal as could have been desired, yet, in the present condition of the finances of the state, it is hoped may prove satisfactory.

"I gladly avail myself of the occasion to repeat the invitation extended to you by the general assembly, to visit this place, at such time as may suit your convenience, for the purpose indicated in the enclosed joint resolution.

"That you may succeed in your laudable public-spirited enterprize beyond your most sanguine expectations, and that your life may be spared until you reap a well-merited reward for the time, labor and talent, which you have so generously bestowed upon it, is my fervent wish.

I am, dear sir, very respectfully, your obedient servant,

JAMES WHITCOMB,
Governor of Indiana."

"UNITED STATES OF AMERICA,

STATE OF INDIANA.

A Joint Resolution relative to International Literary Exchanges:

Be it resolved by the General Assembly of the State of Indiana: That the duties devolved on the secretary of state by a joint resolution, approved January 15th, 1844, and also a joint resolution approved January 27, 1847, both in relation to international literary exchanges, be, and the same are hereby, devolved on the state librarian, who is directed to fit up in the state library rooms all necessary shelves and cases for the reception and safe-keeping of such exchanges as shall be presented to the state; and who shall also, in his annual report to the general assembly, make a separate and detailed statement of their extent and condition.

"*Be it further resolved,* That Alexandre Vattemare, who projected said system of international exchanges, and is now in the United States, with a view to its more perfect development and general adoption, is justly entitled to the thanks of the general assembly and the people of Indiana, for his exalted and untiring efforts in establishing for them a direct intercourse with the minds and hearts of Europe, of which valuable fruits have already been tendered to the state; and in testimony of their appreciation of his eminent services, the said Alexandre Vattemare is hereby invited, by the general assembly, to visit the capital of Indiana at his earliest convenience, for the purpose of conferring with the governor in relation to his system of exchanges, and the best method of rendering it permanently subservent to the welfare of the state; and the governor is hereby authorized to adopt any and all arrangements, within the means granted by this resolution, as will most effectually and amply accomplish the object in view.

"*Be it further resolved,* That Alexandre Vattemare is hereby constituted the agent of this state in effecting international exchanges with such governments, public institutions, and cities of Europe, as shall adopt his system; and for the necessary expenses to render such agency permanent and effectual, an annual sum, not exceeding four hundred dollars, is hereby appropriated to be paid out of the treasury on warrant of the auditor of state, who shall issue the same on the certificate of the governor that the amount certified has been properly expended.

"*Be it further resolved*, That there shall be annually printed and bound fifty extra copies of all laws, resolves, journals, and legislative documents, which shall be especially set apart for international exchanges; and the governor and state librarian are hereby authorized to select such duplicate works in the state library as can be spared, to be used for the same purpose.

"*Be it further resolved*, That the instructions on the best mode of collecting, preserving, and transporting objects of natural history, which were communicated with the documents accompanying the governor's special message, be added to the documentary journal, and that five hundred extra copies be printed for distribution, under the direction of the governor, with such other documents as he shall deem useful and proper.

"*Be it further resolved*, That the governor be requested to communicate a copy of this joint resolution to said Alexandre Vattemare.

WILLIAM A. PORTER,
Speaker of the House of Representatives.
PARIS C. DUNNING,
President of the Senate.

Approved, February 12, 1848.

JAMES WHITCOMB."

MICHIGAN.—On the 12th of March, 1844, the following preamble and resolutions passed the legislature of Michigan:

"*Preamble and Joint Resolution Relative to Mons. Vattemare's system of international Literary Exchanges.*

"WHEREAS Mons. Alexander Vattemare, a citizen of France, has, with unexampled zeal, devoted his time, his energies, and his fortune, to the philanthropic effort of establishing an intellectual confederacy among the nations of the earth:

"AND WHEREAS his system of International Literary Exchanges it not only promotive of science and the improvement of literature and the arts but is also conducive to the fraternation of governments, and the diffusion of civilization throughout the globe;

"And Whereas, the project has been approved by the Chamber and ministers of France, by the congress of the United States, and by the legislatures of the several states, and by the statesmen and literati of both nations:

"*Be it therefore resolved by the Senate and House of Representatives of the state of Michigan,* That in grateful acknowledgements of his disinterested labors in the cause of humanity, and for the valuable works presented by him to the state, the thanks of the people of Michigan are respectfully tendered to Mons. Alexandre Vattemare, by the representatives of the people in legislature convened.

"*Resolved,* That his Exsellency the Governor, be, and he hereby is, authorized and requested to receive the parcels of books transmitted by Mons. Vattemare, through Lewis Cass, Jr., Esq., to the state of Michigan, and also the parcel consigned to R. Thayer & Co., forwarding merchants in the city of New York, and to place the same in the state library.

"*Resolved,* that his Excellency be, and he hereby is, further authorized and requested to transmit to Mons. Vattemare a copy of the revised statutes and session laws of the state of Michigan, together with the journals and ducuments of both houses of the legislature, and such maps of the several counties as are now completed.

"*Resolved,* That the state geologist be, and he hereby is, authorized and requested to examine and report to the next legislature what duplicate specimens of the natural history of Michigan are in his department of the university,

"*Resolved,* That our senators in congress be instructed, and our representatives be requested, to use their best efforts to obtain the appointment of Mons. Alexandre Vattermare, as an agent of the general government to act in behalf of this state, with power to conduct literary exchanges between France and the United States.

"*Resolved,* That his excellency be, and he is hereby, requested to transmit a copy of these resolutions, and the report of the committee on education, to Mons. Alexandre Vattemare.

and to each of our senators and representatives in congress.

EDWIN N. LOTHROP,
Speaker of the House of Representatives.
EDWIN M. CURT,
President of the Senate, Pro. tem.

Approved March 12, 1844.

JNO. S. BARRY.

III. Wide as ist he field which the system of international exchanges proposes to occupy, it is a simple scheme which may be grassed by the intelligence of a child. It is a plan which is designed to give the intellectual treasures of the civilized world the same dissemination and equalization which commerce has already given to its material ones. By means of the agency of commerce, all productions which can administer to the support, comfort, or enjoyment of human life, which exists in superabundance in one quarter, are transported to another so that every nation enjoys all that can be found in every other. The American gentleman is indebted, for the luxuries upon his table, the elegancies of his dress, and the splendor of his drawing-room, to every quarter of the globe. The system of exchanges proposes to go one step farther. It has for its comprehensive design to place at the disposal of every nation all the sources of intellectual culture, of refinement of taste which are possessed by the most favored of its fellows; and to accomplish this desirable object, by means which shall open, foster, and cement relations of amity and good fellowship between the parties concerned.

I am aware that a plan somewhat similar has long been in operation with regard to particular institutions, and particular departments of human knowledge. Science has long acknowledged the importance, the indespensibleness of such a course to the rapid advance of its great interests, and scientific bodies throughout the world are in the constant receipt of the published proceedings and papers of their great co-laborers in the great cause. Its incredible progress, and the splendid results which everywhere surround us, and form the crowning glory of our age, are a sufficient testimonial to the wisdom of its unity of action. Yet even these exchanges have sought the ordinary channels of trade, and have been subjected to all the interrup- s, and burdened with all the taxes which encumber it.

The system of exchange does not propose to interfere in any way with any similar plan already in operation. Its main design is to open a channel of communication between the PEOPLE of the various nations of the world. which shall bring them together upon the neutral ground of letters, and by making them better acquainted with each other's laws, manners and customs and intellectual wealth, by acts of mutual kindness and courtesy. to cultivate the spirit of peace and of reciprocal respect and good feeling.

Extensive business arrangements are necessary to carry out the plan. It was procosed to establish in the United States a central depot to which all objects of exchange can be transmitted to be shipped to foreign countries, and where all returns from abroad may be received and sent to their respective destination in America. It will be seen, by reference to the two treasury circulars before quoted, that this depot is, by the official act of the Treasury Department, established at the New York custom House.

In connection with this depot will be a similar one in Paris, through which all exchanges are to pass. The depot in Paris will also be the seat of the general agency, which will have the management of all the business of exchange, where all the responsibility for its faithful conduct will rest. and to which all subordinates will be accountable. The general agency will employ subordinate agents in the capitals of all the nations and states which unite in the support of the system, who will be paid by it and report to it: these agents will be charged with the receipt and transmission of all objects of exchange, and all the transactions of the general agency with their state or nation, will be conducted through them.

Such is, in brief, an outline of the *machinery* which it is in contemplation to employ. The necessity for it will be apparent from a few obvious considerations which I have already urged in a communication which I had the honor to submit to the joint committee on the library of congress during the past session, from which I beg leave to make the following extract:

" In the conduct of a system involving such a number of multifarious operations, *unity of action* is the first of all conditions of success. A single establishment, ramifying itself by means of its agents wherever its operations demand its presence, must be made the responsible head, from which all the transactions of exchange throughout the world are to be controlled and directed, and where all accountability is to rest. Division of this responsibility would lessen its force, and would take away the necessary guaranty for the faithful execution of the trusts imposed.

"With this view and in accordance with the united opinions of the ablest men and first scientific bodies of both continents, Paris has been selected as the seat of a central agency, having collateral branches in the capitals of the several states which unite in the support of the system. It will form the great heart—receiving from all quarters and transmitting to all, the intellectual life-blood of the nations—their literature, science, and arts. All the agents of the system will be responsible to the central agency, and it, in its turn, will be responsible to the nations which make it the channel of their exchanges.

"For the support of this agency an estimate was submitted to you several months ago, which I beg leave to recapitulate here:

For one chief clerk - - - - -	$1,000
" one assistant - - - - - -	450
" two messegers - - - - -	400
" agents, resident at capital of states.	3,000
" publication of quarterly report	2,000
" rent, &c. of office - - - - -	400
" travelling expenses - - -	1,500
" incidental expenses - - -	1,500
Total	$10,250

"The report referred to in the above estimate is one of the most important features of the plan, as it offers the most certain guaranty for the faithful expenditure of the funds appropriated for the support of the system, as well as for the proper distribution of the books, and other articles of exchange entrusted to its care. It will exhibit, in the minutest detail, not only the pecuniary accounts of the agency, but the disposition made of every article that passes through its hands, so that every institution and every individual who shall have contributed even the smallest pamphlet for purposes of exchange, will be able to ascertain at once whether it has been faithfully transmitted to its destination. The system of accountability will thus be rigid, and complete. The report, while thus operating as a salutary check upon agents disposed to be unfaithful, will serve the further, and not less useful purpose of furnishing to the institutions of the various countries connected with the plan, the means of ascertaining what each might obtain from the other, and where the objects desired could be procured. The operations of the system have not unaptly been compared to the circulation of the blood: this particular feature of it will correspond to the function of *nutrition*, which enables each part to appropriate whatever is best adapted for its own nourishment and growth.

"Of the sum required for the support of the agency, $2,300 have already been secured by the legislative appropriations of various states, viz:

By the State of		Maine,	$300
"	"	Massachusetts,	300
"	"	Vermont,	200
"	"	New York,	400
"	"	New Jersey,	300
"	"	Indiana,	400
"	"	Virginia,	400
			$2,300

Add to this the sum appropriated by the Federal government, (2,000,) and we have a balance of but $5,950 to be secured from the twenty-three other states which have not yet acted on the subject. The interest everywhere manifested throughout the Union in the success of the system, warrants me in the expectations that not only the fourteen other states which have already opened communications with me on the subject, in terms favorable in the highest degree to the design, but every state in the Union will cheerfully contribute towards the support of the central agency at Paris."

It will be seen from the statements in the above extract that the sums asked of the various states are exceedingly small, yet they will be still farther diminished when the system has once been put in full operation, and all its transactions reduced to perfect regularity. Trifling as these sums indvidually are the aggregate of them fotms the working capital of the system, and hence the indispensable necessity of their being made *permanent.*

The sole object of asking them at all is to secure the permanence of the relations which the system of exchange has already been so successful in establishing between the civilized nations of the world, relations, the importance of which cannot be diminished by time. I have, therefore, most respectfully, but most earnestly, to request that some measure may be recommended to the legislature of your state, calculated to place the annual appropriation beyond the reach of those causes which might operate temporarily to interrupt it. Thus the CENTRAL AGENCY would be enabled to found its expenses upon a perfectly safe basis.

In France, an old country, with a dense population, where the business relations of men are marked by a permanence and solidity which the circumstances and wants of a new country forbid, it would be impossible for me to secure the services of such men as the duties of the agency will require, unless I had it in my power to offer them the surest guaranties of the certainty and permanence of the means upon which I rely for their remuneration. I trust the importance of these considerations will lead to such action on the part of the various states, whose agent I have the honor to have been appointed, as will relieve my mind from all anxiety on the subject.

A brief notice of the advantages which may reasonably be expected from the full realization of the system of exchange will close this report, which I fear has already extended beyond the limits which I ought to have set to my demands upon your patience.

To America, it is believed that the increased knowledge and appreciation of her intellectual wealth and resources, which must result from the wide dissemination of her products of mind throughout the civilized world, would be more than a full remuneration for a hundred times the expenditure which is necessary to secure it; if, indeed, any pecuniary estimate is not wholly out of place in calculating the value of such appreciation.— It is a lamentable fact that the United States does not occupy that high place, in European estimation, to which her social and national position entitle her. She is either seen through the distorted medium of a foreign press, or judged from the narrations of ignorant, prejudiced, or mercenary travellers, who visit her shores merely to discover such faults and foibles as will enable them to make a saleable book. Had the people of Europe an opportunity of learning your wise and salutary laws ; [illegible] peaceful, yet powerful working of your free government ; your admirable institutions for the punishment of vice, and the relief of honest poverty ; the freedom of your religious views, and the universal means of education which you possess ; your public works and public press, rivalling each other in public benefit ; your immense natural resources, and the enterprising industry of your citizens ; could this knowledge but be diffused, Europe would at once be forced to respect and admire you for other than military or commercial triumphs, and feel proud that your continent was peopled by her sons.

One great step towards the spread of the knowledge of Amerca and her institutions in Europe has already been made by the system of exchange in the formation of *an American library* in the city of Paris. This library is already in existence, and contains a highly valuable collection of American books, constantly increased by the large transmissions which American liberality is constantly enabling me to make to it of the richest productions of the national mind. In the hall of this library, each state of the American Union has an alcove expressly appropriated for the reception of its contributions, each severally distinguished by its name, arms, and the date of its incorporation, so that the thousands of Frenchmen and foreigners of every nation, who visit the Hotel de Ville weekly, must, per force, become better acquainted with the history and genius of your glorious country. I appeal to American patriotism to aid me in making this library a worthy monument to the intellect and liberality of the nation.

The advantage to the book trade which must be derived from having copies of the best American works placed in the great government libraries of Europe, acting as a standing advertisement of the publishers and authors, is too obvious to require that it should be more than hinted. The same remark will apply to important American inventions. The American patentee could not be robbed of his right in, or the credit he deserves for, a useful invention, if the drawings, specification, and model were deposited in a foreign patent office as the evidence of his claim. This view was taken by the present able and liberal head of the U. S. Patent Office when he placed in my hands copies of the specifications and drawings of the most important inventions patented during the past year, to be presented to the Minister of Commerce and Agriculture of France.

The operations of the general agency, when once it is fully established, may gradually, and with great advantage, be extended so as to embrace objects collateral to its main design.—Statistical information of every kind may seek that channel for dissemination, and as an object directly in line of its chief purpose—to promote international good will—a bureau might eventually be engrafted upon it which should be charged with the interests of emigrants, furnishing them with every species of information in relation to the region to which they propose to remove, the price of land and labor, its sanitary condition, the expenses of transportion to it, the articles most necessary for their comfort, &c., &c. Artisans might be directed to the point where their labors would be most likely to meet with reward, and the honest and deserving be furnished with certificates which should secure for them a welcome and good treatment upon their arrival. I merely hint at these things to show that the system contains within itself elements of usefulness which are yet undeveloped.

The encouragement which it affords to the formation of new libraries and museums is among the prominent benefits promised by the system. It contemplates, as one of the most certain elements of its own permanent success, the establishment, in every quarter of the world, of free public libraries and museums, ever open to the use of the people. For the founding of such institutions peculiar inducements and facilities are offered by the system of exchange. It gives a new and enhanced value to objects which, were before, on account of their abundance, disregarded in their own peculiar locality. The laws, reports, and all the legislative documents of governments, assume, as the circulating medium of exchange, a value far beyond their cost, and will ensure returns of priceless works which could be obtained in no other way; and yet these documents are often stowed away in garrets as useless rubbish, or sold by the pound as waste paper. In addition to these, the town, city, or state, desirous of founding a library, has, in its specimens of natural history, its animal, vegetable, and mineral productions, an almost exhaustless fund, convertible, through the instrumentality of exchange, into books and works of art. Thus a very limited expenditure of money will produce results of the highest value.

Every state in the American Confederacy, I believe, has at its capital, a collection of books known as the state library.—In most of them, however, the works are chiefly of a legal and political character, intended almost exclusively for the use of the legislators during the session of their body. In the intervals between the sessions the library is only occasionally open, and, even if open all the time, would be of little benefit to the mass of the public, who either feel no interest in, or are not prepared to understand the subjects to which the works are mainly devoted. Science, general literature, and the fine arts have no place among them ; and literary men, and the reading part of the public, do not make these libraries places of resort for literary relaxtion, or for severe study. There are doubtless exceptions, but such is the general character of these institutions.

Now, this might very readily, and with the most desirable results, be changed. The resources of exchange, liberally employed, added to a very moderate annual appropriation, judiciously applied, would build up in your state capitals, libraries which would be just sources of pride, and afford, moreover, invaluable means of reference to scholars, and of cultivation and improvement to the whole people. There could be no spirit of exclusiveness in such institutions ; each man would feel that he was enjoying the advantages which he had himself aided to procure, and that he and his children might freely avail of them without fear or favor.

This would be a true intellectual democracy—the best books, selected to suit the wants of all classes and professions, *freely thrown open to the use of all.* With reference to exchanges, such a library would be the most proper channel through which the business should be conducted—the appropriate seat of the state exchange agency. It would open an account with the institutions of the state desirous of partaking of he advantages of the system, and with the national central depot, and thus be put in relation with the whole scientific and literary world.

A liberal system of domestic exchanges—each state setting apart for the library of each of her sister states copies of al the public documents, of every description, published by her authority—would make each of the state libraries, a depository of the complete materials for the history of every state in the Union, and thus the liability of important public historical records to loss or destruction would be diminished thirty fold; while the lights they throw upon legislation would be placed in possession of legislators in every portion of the country.

Let the means which have been hinted be judiciously used, and the state libraries of America will ere long, in extent and usefulness, equal any similar institutions in the world.

Great as undoubtedly are the advantages which have already been suggested as likely to flow from the general adoption of the system of exchange, yet it would be deprived of by far its greatest claim to the support of the wise and good, but for its important moral bearings. It is chiefly, as it tends to open between the people of the various nations of the world an intercourse of kindness and courtesy, to throw down the barriers of national prejudice, and cultivate a spirit of national peace and good will, that it appeals to the sympathy and encouragement of the patriot and philanthropist.

To employ the eloquent language of a report made by a committee of the Common Council of the city of New York:

"Hitherto the intercourse of nations, has hardly transcended the jealous boundaries of mere interest and of diplomatic etiquette. Ambassadors have been interchanged and treaties negotiated to prevent encroachment on either side, to regulate the trade, and to protect the citizens of the contracting parties.—Even friendship in such cases has always taken care that the clang of the warlike sword should be heard in the embrace of of peace, and that the grasp of amity should ever be given with mailed hand. There is no instance of national relations, as your committee believe, in which the greatest care has been taken lest the one might obtain some advantage over the other. But to the system of exchange is due the honor of introducing a higher and nobler spirit into national intercourse. It has conceived and introduced into practice, the idea of true friendship between the great branches of the human family—of a friendship that aims at mutual benefits, rathar than at self interest—which has no suspicion and no jealously—which gives and receives without carefully inquiring into values or calculating profits, which, while it is eminently peaceful and beneficent, holds in reserve no means of hostility, and no threats of war. Like the mysterious wires which stretch almost from one end of the continent to the other, annihilating distance, and making all places through which they pass to be like one place, so these mutual gifts are destined to remove the barriers of antagonist nationality, and render the nations of the earth, as they should be, one united family."

The united voice of hundreds of the greatest and best men of your country might be added to this glowing testimonial, but I can only allow myself to subjoin the following:

From the Hon. George M. Dallas.

"This conception of M. Vattemare's, of such simplicity in execution, and of such large philanthropy in results, is realized, its practical effects are seen, felt, appreciated, and throughout civilization, the generous and wise cannot fail to establish and cultivate so certain a source of mental improvement, and so strong a bond of mutual respect and peace."

From the Hon. John Y. Mason.

"In such exchanges the friends of free government may anticipate rich rewards. In this enlightened age such acts of national comity are calculated to strengthen the bonds of friendship, and promote offices of good will and kindness between nations, not likely to be sundered or forgotten, by making the people of each better acquainted with the institutions, the laws, the arts, sciences and letters of the other."

From the Hon. Edmund Burke.

"This noble enterprize, which owes its origin to your devotion, enthusiasm, and persevering energy, will mark a new era in civilization. Nations, by interchanging the rich treasures of intellect, science, and art, will cultivate towards each other sentiments of mutual respect, sympathy, and good will; and thus will they learn to suppress those bad passions and vices which lead to contention, hostility, and bloodshed, and which have scourged and afflicted the world with sanguinary and desolating wars. To achieve so great a victory over the passions and vices of men and nations by such noble means will be the proudest of human triumphs."

From the Hon. Franklin Pierce.

"That which was formerly only a figure speech, will now be a substantial reality, and the scientific and literary union of nations, which your efforts have effected, will consolidate 'the republic of letters.'"

I have thus, sir, laid before you, as briefly as the subject would permit, a statement of the details of my plan, as well as of the condition and prospects of the system of exchange in your country. Flattering, as it undoubtedly appears, much will still depend upon the action which you are to take for its security and permanence. I rely with entire confidence upon your wisdom, and upon the friendly disposition towards the cause which you have already manifested.

Should the hopes which I have so much reason to indulge, be indeed realized, then the intellectual union of nations will no longer be the dream of an enthusiast, but will have received from the western hemisphere an impulse which must secure its establishment, and the world which has so lately witnessed with admiration the triumphs of American arms, will, in the more quiet and grateful pursuits of peace, owe a new debt of gratiiude to American example.

With great respect, I have the honor to be, sir,

Your obedient servant,

ALEXANDRE VATTEMARE.

REPORT

Of the State Treasurer.

State Treasurer's Office, Wis.,
Madison, January 10, 1849.

To Hon. John E. Holmes,
Lieutenant Governor and President of the Senate:

Sir: Herewith I send you my first annual report, and through you respectfully make the same to both houses of the legislature.

With great respect,
I am your humble servant,
J. C. FAIRCHILD,
State Treasurer.

REPORT.

STATE TREASURER'S OFFICE, Wis.,
Madison, Dane county, January 10, 1849.

To the Honorable the Senate and Assembly of the State of Wisconsin:

The undersigned respectfully submits his annual report.

There has been received into the treasury the following sums, to wit:

1848		STATE ORDERS.	CASH.	TOTAL.
July 25, From	Simeon Mills, late Terr'l Treas.		765 06	765 06
Sept. 30, "	Manitowoc Co.	308 37		308 38
Dec. 12, "	Jefferson Co.	555 00	40 94	595 94
" "	Brown Co.	264 00		264 00
" 19, "	LaFayette Co.	1879 84		1879 84
1849.				
Jan. 2. "	Grant county	2356 95		2356 95
" 6, "	Marquette Co.	1085 00	186 00	1271 00
" 10 "	Iowa Co.	486 00	15 00	501 00
		$6935 16	$1007 00	$7942 16

THE DISBURSEMENTS ARE AS FOLLOWS:

1848		CASH.
July 31,	To Earnest F. Hertsburg, order No. 5,	50 00
Aug. 2,	" David Holt, Jr., order No. 6,	435 00
" 12,	" W. H. and A. U, Wyman, order No. 7,	221 55
1849		
Jan. 6,	" J. C, Fairchild, Treasurer, order No. 140.	252 05
	Balance on C. L. Shole's order for per diem pay as senator, (whole order $155,) the balance of said order was received on account of arrearage revenue due from Brown county,	26 00
		$984 60

Balance on hand, $22 40

J. C. FAIRCHILD,
State Treasurer.

RECAPITULATION.

The following is a description of the secretary of state's orders received on account of revenue due the state, as well as those redeemed with cash, to wit:

DATE.	TO WHOM PAYABLE.	NO.	AMOUNT.
1848			
Aug. 21.	Henry Lines,	96	145 00
" "	Ezra Durgin,	30	155 00
" "	Beriah Brown,	106	153 37
" "	Henry M. Billings,	78	155 00
" "	Simeon Mills,	122	100 00
" "	Thomas Jenkins,	49	155 00
" "	Horace Chase,	25	155 00
" "	William Caldwell,	24	155 00
" "	Peter H. Turner,	64	155 00
" "	Thomas K. Gibson,	80	155 00
" "	Monroe Thompson,	63	155 00
" "	Joseph Turner,	86	155 00
" "	Archibald Nichols,	51	155 00
" "	Armistead C. Brown,	18	155 00
" "	Alanson B. Vaughn,	65	155 00
" "	D. G. Fenton,	76	155 00
" "	James Gillimore,	33	155 00
" "	Arthur W. Worth,	71	155 00
" "	Samuel S. Railer,	111	76 00
" "	J. Gillett Knapp,	120	32 20
" "	John E, Holmes,	93	390 00
" "	Davenport Rood,	56	155 00
" "	Samuel Parkhurst,	102	42 00
" "	E. Slothower,	59	155 00
" "	Robert L. Ream,	98	174 00
" "	C. Latham Sholes,	89	155 00
" 23.	Tenney & Smith,	132	1450 20
" 12.	W. H. & A. U. Wyman,	7	221 55
" 1.	David Holt,	6	435 00
July 31.	Earnest F. Hurzberg,	5	50 00
Sept. 5.	Nelson Dewey, Gov.,	188	20 00
Dec. 19.	Dean & Co.,	147	26 44
" 30.	J. C. Fairchild, Treas.,	153	202 19
" "	Nelson Dewey, Gov.,	151	312 50
Oct. 14.	Nelson Dewey, Gov.,	144	397 26
Sept. 30.	J. C. Fairchild, Treas.,	140	252 05

DESCRIPTION OF ORDERS ISSUED BY NELSON DEWEY, GOVERNOR.

DATE.	TO WHOM PAYABLE.	NO.	AMOUNT.
1848.			
Dec. 30,	T. McHugh, Sec. State,	2	300 00
" "	N. Dewey, Governor, order on contingent fund,	8	550 00
	Total amount of orders received,		$7919 76

All of which is respectfnlly submitted.

J. C. FAIRCHILD.
State Treasurer.

REPORT

Of the Secretary of State.

SECRETARY'S OFFICE,
Madison, January 16, 1849.

HON. JOHN E. HOLMES,
Lieutenant Governor &c.

SIR: Herewith I have the honor to transmit to the Legislature my first annual report as Secretary of State.

I am with great respect,
Your obedient servant,
THOMAS McHUGH,
Secretary of State.

REPORT.

SECRETARY'S OFFICE,
Madison, January 16, 1849.

o the Senate and Assembly of the State of Wisconsin.

The first section of art. 2, of "an act prescribing the powers nd duties of the Secretary of State," declares "that it shall be e duty of the Secretary of State, to exhibit to the Legislature its annual meeting a complete statement of the funds of the ate, of its revenues and of the public expenditures during the eceding year, with a detailed estimate of the expenditures to e defrayed from the treasury for the ensuing year, specifying erein each object of expenditure, and distinguishing between ch as are provided for by permanent or temporary appropria- ons, and such as require to be provided for by law, and show- g the means from which such expenditures are to be defray- ."

There is as yet no State fund; the only source of revenue eing the tax levied in the several counties.

The amount of State tax levied for the year ending Dec. 31, 848, amounts to $58,695,00.

It appears, however, from the returns of the assessment in he counties of Washington, Portage, Rock, Calumet and Dodge hat the State tax in those counties was levied only upon real state, and that no separate assessment was made of merchan- ze and stock in incorporated companies.

Those counties are therefore only charged with the four and half mill tax upon the assessed value of the real estate.

Should the legislature make provisions at its present session or an equalization of the tax and the payment of the arrearage ue from those counties for the last fiscal year; the revenue vould be increased probably $2,000, which would make the evenue for the tax of 1848, $60,695.

The amount due from the several counties to the State for arrearage of territorial revenue is $10,585 78 as appears from the books of the late territorial treasurer.

In the settlement with the county of Brown for the arrearage, it was discovered that in May, 1846, the sum of $264, had been paid over to the territorial treasurer, Mr. Larkin, for the tax of the previous year, which had not been credited to the county or accounted for by that officer to the territory. This sum has since been paid into the treasury by Mr. Larkin, and reduces the amount of arrearages to $10,321 78.

For a detailed statement of the tax and arrearages, see abstract marked F.

A resolution was passed by the legislature at its last session, authorizing the Hon. M. C. Darling our representative in congress, "to apply for and obtain from the treasury department the amount of money due on account of bonds and scrip, which were authorized by act of congress of August 1842, to be paid by the United States, and redeemed by the territorial treasurer."

Having no means of distinguishing between such as were authorized to be paid and those disallowed by the department, I forwarded to Mr. Darling by mail, bonds and scrip amounting in the aggregate to $11,865 60; a detailed statement of the number and amount of this scrip will be found in abstract marked G.

A select committee of the senate reported during the last session of the legislature, that the balance in the hands of the register and receiver of the Milwaukee and Rock river canal lands, was 14,867 61.

The above sums, together with the amount transferred by the late territorial treasurer to the state treasurer, amount to $83,687 85, which constitutes the whole revenue of the state for the last fiscal year.

Since the qualification of the state treasurer, and up to Dec. 31, 1848, the expenditures amount to $37,402 35.

Appropriations have been made, and warrants issued for the sum of $32,097 32, leaving $5,305 03, for which appropriation have yet to be made.

For a detailed statement of expenditure of last year, see abstracts A. B and C.

The estimated expenses of the state for the fiscal year commencing Jan. 1, 1849, as per abstracts marked D. and E. is

Provided for by permanent appropriation,	$13,450,00
Not provided for by permanent appropriation,	$33,530,00
	$46,980,00

Besides the items of expenditure in abstract E, there is, I am informed several hundreds of dollars of territorial scrip yet unredeemed, but as there is no record to which I have access, to show the amount of this scrip issued or redeemed and cancelled I am unable to estimate the amount.

The above with such accounts of jailors for keeping state prisoners and the interest due upon the canal lands held by Mr. Doughty, comprises all the ordinary expenditures required for this year.

I received on the 10th inst. from John White, late register of the Milwaukee and Rock river canal lands, a record book of sales, record book of mortgages, and a book of plats, which were accompanied with a recommendation, a copy of which is hereto annexed marked H.

All of which is respectfully submitted.

THOMAS McHUGH,
Secretary of State.

(A.)

ABSTRACT OF WARRANTS DRAWN UPON SIMEON MILLS, ACTING STATE TREASURER.

NO OF WARRANTS.	TO WHOM ISSUED.	AMOUNT	WHEN ISSUED.	FOR WHAT GIVEN.
1	Each member of the Legislature $40 amounting in the aggregate to	$3,400	1848. June 29,	Per diem as members Sen. & Ass.
2	D. N. Johnson and H. G. Abbey, *each* $200	400	" "	Services as chief clerks.
3	John Mullanphy,	100	" "	Services as S.-at-arms of assembly
4	Lyman H. Seaver,	50	" "	Services as S.-at-arms of senate.
		$3,950		

NOTE.—The above warrants were cancelled by a committee of the last Legislature appointed to settle with the late Territorial Treasurer.

(B.)

ABSTRACT of warrants drawn upon appropriations made at the last session of the legislature upon the State Treasurer.

NO. OF WARRANT.	TO WHOM ISSUED.	AMOUNT.	WHEN ISSUED.		FOR WHAT GIVEN.	
5	E. F. Herzberg,	$ 50	July 31,		Translating constitution.	
6	David Holt,	435	August 1,		Postage for legislature.	
7	W. H. & A. U. Wyman,	221 55	"	12	Printing.	
8	Henry Adams,	155	"	21st	Per diem as member of assembly.	
9	David Agry,	155	"	"	"	"
10	Henry Allen,	155	"	"	"	"
11	G. F. A. Atherton,	155	"	"	"	"
12	C. Billinghurst,	155	"	"	"	"
13	A. P. Blakeslee,	155	"	"	"	"
14	Joseph Bond,	155	"	"	"	"
15	Joseph Bowron,	155	"	"	"	"
16	J. W. Brackett,	155	"	"	"	"
17	E. Brigham,	155	"	"	"	"
18	A. C. Brown,	155	"	"	"	"
19	Jedediah Brown,	155	"	"	"	"
20	W. W. Brown,	155	"	"	"	"

ABSTRACT—(Continued.)

NO. OF WARRANT.	TO WHOM ISSUED.	AMOUNT.	WHEN ISSUED.	FOR WHAT GIVEN.
21	J. M. Campbell,....................	155	August 21st	Per diem as member of assembly.
22	Robert C. Carey,..................	155	“ “	“ “
23	S. E. Chapman,....................	155	“ “	“ “
24	William Caldwell,.................	155	“ “	“ “
25	Horace Chase,.....................	155	“ “	“ “
26	L. P. Crarey,.....................	155	“ “	“ “
27	Prosper Cravath,..................	155	“ “	“ “
28	J. Dougherty,.....................	155	“ “	“ “
29	Charles Doty,.....................	155	“ “	“ “
30	E. Durgin,........................	155	“ “	“ “
31	Wales Emmons,.....................	155	“ “	“ “
32	J. L. Gilbert,....................	155	“ “	“ “
33	J. Gillmore,......................	155	“ “	“ “
34	L. Goodell,.......................	155	“ “	“ “
35	Gaylord Graves,...................	155	“ “	“ “
36	A Greaulich,......................	155	“ “	“ “
37	E D. Hall,........................	155	“ “	“ “
38	Chauncey Heath,...................	155	“ “	“ “
39	G. M. Humphrey,...................	155	“ “	“ “
40	Thomas Jenkins,...................	155	“ “	“ “

	Stephen Jones,	155	"	"	"	"
42	Milo Kelsey,	155	"	"	"	"
43	Joseph Kerr,	155	"	"	"	"
44	Hugh Long,	155	"	"	"	"
45	D. W. Maxon,	155	"	"	"	"
46	D. M'Donald,	155	"	"	"	"
47	I. Merrill,	155	"	"	"	"
48	Jo. H. Mooers,	155	"	"	"	"
49	Charles E Morris,	155	"	"	"	"
50	Abner Nichols,	155	"	"	"	"
51	Archibald Nichols,	155	"	"	"	"
52	Delando Pratt,	155	"	"	"	"
53	Benjamin Randall,	155	"	"	"	"
54	E. D. Richardson,	155	"	"	"	"
55	H. B. Roberts,	155	"	"	"	"
56	D Root	155	"	"	"	"
57	S. H. Roys,	155	"	"	"	"
58	P. J Shumway,	155	"	"	"	"
59	E. Slothower,	155	"	"	"	"
60	W T. Sterling	155	"	"	"	"
61	Nathaniel Strong,	155	"	"	"	"
62	Andrew Sullivan,	155	"	"	"	"
63	Monroe Thompson,	155	"	"	"	"
64	Peter H. Turner,	155	"	"	"	"
65	A. B. Vaughn,	155	"	"	"	"
66	N. H. Virgin,	155	"	"	"	"

ABSTRACT—(Continued.)

NO. OF WARRANT.	TO WHOM ISSUED.	AMOUNT.	WHEN ISSUED.	FOR WHAT GIVEN.
67	H. M. Warner,	155	August 21st	Per diem as member of assembly.
68	D. K. Warren,	155	“ “	“ “
69	N. E Whiteside,	155	“ “	“ “
70	Elias Woodworth,	155	“ “	“ “
71	A. W. Worth,	155	“ “	“ “
72	Edward Wunderly	155	“ “	“ “
73	A. Zimmerman,	155	“ “	“ “
74	H. C. Hobart,	155	“ “	“ “
75	H. Merrill,	155	“ “	Per diem as member of senate.
76	D. G. Fenton,	155	“ “	“ “
77	Warren Chase,	155	“ “	“ “
78	H. M. Billings,	155	“ “	“ “
79	George W. Lakin	155	“ “	“ “
80	Thomas K. Gibson,	155	“ “	“ “
81	C. T. Gardner,	155	“ “	“ “
82	Simeon Mills,	155	“ “	“ “
83	William M. Dennis,	155	“ “	“ “
84	F. W. Horn,	155	“ “	“ “
85	M. B. Williams,	155	“ “	“ “
86	Joseph Turner,	155	“ “	“ “

87	John W. Boyd,........................	155		"	"	" "
88	O. W. Norton,........................	155		"	"	" "
89	C. L. Sholes, ...	155		"	"	" "
90	Philo White,........................	155		"	"	" "
91	Asa Kinney, ...	155		"	"	" "
92	R. N. Messenger,........................	155		"	"	" "
93	John E. Holmes,........................	390		"	"	Per diem as lieutenant governor.
94	L. H. Seaver,........................	149		"	"	Per diem as serg't-at-arms in senate.
95	J. Murdock, ...	148	20	"	"	Writing for assembly.
96	H. Sines,........................	145		"	"	Writing for senate.
98	Robert L. Ream,........................	174		"	"	Writing for and drawing maps.
99	J. Mullanphy,........................	141		"	"	Per diem as serg't-at-arms, assembly.
100	T. A. P. Boyd,........................	145		"	"	Writing for assembly.
101	E. P. Lockhart,........................	145		"	"	Writing for senate.
102	S. Parkhurst,........................	42		"	"	Services as door-keeper to assembly.
103	Henry Starks,........................	53		"	"	Per diem as messenger to assembly.
104	N. E. Whiteside, ...	195		"	"	Per diem as speaker of assembly.
105	Thomas M'Glynn,........................	87		"	"	For sinking well in Capitol Park.
106	Beriah Brown, ...	99	50	"	"	Printing for state department.
107	Beriah Brown, ...	153	37	"	"	Print'g and publish'g constitution,&c.
108	Henry Mallo, ...	40		"	"	Messenger to senate
109	R. A. Bird,........................	994	47	"	"	Printing for legislature.
110	Ira W. Bird,........................	20		"	"	Writing for senate.
111	S. S. Kailler,........................	76		"	"	Keeping state convict
112	Daniel M. Holt,........................	117		"	"	Services as assistant librarian.
113	Levi Booth,........................	99		"	"	Work done in and about the capitol.

ABSTRACT—(Continued.)

NO. OF WARRANTS.	TO WHOM ISSUED.	AMOUNT.	WHEN ISSUED.	FOR WHAT GIVEN.
114	J. W. Downing,	144	August 21st	Work in and about the capitol.
115	R. G. Spaulding,	60	" "	Work in and about the capitol.
116	David Holt, Jr.,	876 51	" "	Postage of legislature.
117	David Holt, Jr.,	11 98	" "	Stationery for legislature.
118	Daniel Noble Johnson,	255 60	" "	Services as chief clerk of assembly.
119	Joseph G Knapp,	1269 40	" "	Stationery for legislature, &c.
120	J Gillett Knapp,	32 20	" "	Salary as superintendent.
121	Charles Lord,	50	" "	Services as chaplain.
122	Simeon Mills,	100	" "	Salary as treasurer.
123	A. V. Fryer,	265 20	" 22	Writing for legislature.
124	John Penman,	50	" "	Services as chaplain.
125	H. G. Abbey,	50	" "	Preparing journal for publica'n &c.
126	H. G. Abbey,	262	" "	Services as chief clerk of senate.
127	H. G. Abbey,	25	" "	For clerk hire to senate.
128	H. G. Abbey,	3	" "	Stationery for senate.
129	Eli Sperry,	62 50	" "	Cushions for capitol.
130	S. L. Rood,	35 50	" "	Books for state department.
131	Leach & Springer,	8	" "	Furnishing papers to legislature.
132	Tenney & Smith,	1450 20	" "	Printing for legislature.

133	Larkin Meadows,	28		"	23	Work done in library.
134	H. W. Read,	50		"	26	Services as chaplain.
135	N. S. Emmons,	1	50	"	28	Well bucket.
136	L. F. Kellogg,	10		"	29	Services chief clerk pro tem of senate
137	Wallace Mygatt,	34		"	31	Publishing constitution.
139	William R. Smith,	39	50	Sept.	25	Salary as adjutant general.
140	J. C. Fairchild,	252	05	"	30	First quarters salary a state treasurer.
141	James S. Brown,	252	05	"	"	First quarters salary as att'y general.
143	Charles H. Larabee,	139	70	October	13	Salary as judge.
144	Nelson Dewey,	397	26	"	14	Salary as governor.
145	Levi Hubbell,	139	70	Decem'r	11	Salary as judge.
146	J. W. Ostrander,	10		"	12	Territorial scrip No. 437, surrend'd.
147	Dean & Co.,	26	44	"	19	Articles furnished for capitol.
148	E. V. Whiton,	139	70	"	"	Salary as judge.
149	J. T. Wilson,	8	16	"	25	Blacksmithing.
150	D. Clark,	4	75	"	29	Lumber, &c.
151	Nelson Dewey,	312	25	"	30	Salary as governor.
152	Levi Hubbell.	275		"	"	Salary as judge.
153	J. C. Fairchild,	202	19	"	"	Salary as treasurer.
154	J. Gillet Knapp,	75		"	"	Salary as superintendent.
155	E. V. Whiton,	395		"	"	Salary as judge.
156	Charles H. Larrabee,	375		"	"	Salary as judge.
157	A. W. Stow,	375		"	"	Salary as judge.
158	M. M. Jackson,	375		"	"	Salary as judge.
159	A. W. Stow,	139	70	"	"	Salary as judge.

ABSTRACT—(Continued.)

NO. OF WARRANT.	TO WHOM ISSUED.	AMOUNT.	WHEN ISSUED.	FOR WHAT GIVEN.
160	M. M. Jackson,	139 70	Decem'r 30	Salary as judge.
161	James S. Brown,	202 19	" "	Salary as attorney general.
162	Cramer & Curtis,	15 30	" "	Newspapers.
		32,097 32		

(C.)

STATEMENT of expenses during the fiscal year ending January 1st, 1849, for the payment of which no provision has been made.

Stationery for state officers,	$591 00
Seymour & Varney, for sundries,	76 91
Smith & Treadway, carpet, &c.,	140 83
Dean & Co., stoves,	89 73
H. C Parker, desks, &c.,	40 50
J. T Wilson, smithing,	20 40
J. Helpin, labor in and about capitol,	85 00
Robinson, painting, &c.,	52 00
Per diem of commissioners to locate lands,	2,000 00
Postage of secretary of state,	100 00
Cleaning sec'y's office, removing county desks, &c.,	15 00
Desk, &c for treasurer's office,	30 00
Per diem pay of revisors, &c	1.088 66
Water closet, amount as reported by superintendent,	825 00
Fitting up court room by direction of Judge Hubbel, estimated,	150 00
	$5,305 03

(D.)

STATEMENT of expenses of the State for the year commencing Jan. 1, 1849, for which permanet appropriations have been made.

Salary of Governor,		$1250 00
"	Secretary of State and for clerk hire,	1200 00
"	Treasurer,	800 00
"	Attorney General,	800 00
"	Superintendent of Public Instruction,	1000 00
"	Five Judges, 1500 each,	7500 00
"	Superintendent of public Property,	300 00
Contingent expenses of Executive Department,		600 00
		$13,450 00

(E.)

ESTIMATE of the expenses of the State for the fiscal year commencing January 1, 1849, for which no permanent appropriation has been made.

Salary of adjutant general,	$150 00
LEGISLATIVE.	
Per diem of members of the legislature (for 60 days)	12,750 00
Mileage,	1,000 00
Per diem of officers, including lieutenant governor and speaker,	2950 00
For incidental printing, and for the journals, laws, and for the state departments,	5,500 00
Postage of the legislature,	1,350 00
Stationery for members and clerks fixed by law,	475 00
Oil and candles for the legislature,	200 00
EXECUTIVE DEPARTMENT.	
Stationery and lights,	100 00
STATE DEPARTMENT.	
Stationery and blank books,	100 00
Postage,	125 00
Lights,	30 00
TREASURY DEPARTMENT.	
Stationery and lights,	50 00
Postage,	10 00
Per. diem of revisors, &c.,	3000 00
" " commissioners to locate public lands,	3000 00
Repairs on the capitol and fitting up court room,	1800 00
Wages of man to work about capital 1 year,	240 00
	$32 630
Stationery, &c, for supreme court,	100 00
Edward H. Rudd for seals, as per act of last session,	800 00
	$33,530 00

(F.)

STATEMENT of the amount of revenue due the state from the several counties for the fiscal year ending January 1st, 1849, and for the arrearage of territorial revenue.

COUNTY.	AVERAGE OF TER'L TAX.	STATE TAX FOR 1848
Crawford	178 01	266 23
Iowa	1137 86	2218 96
Winnebago	205 39	1163 45
Walworth		4686 43
Grant	1 00	4201 00
Washington *	278 01	2452 45
Fond du Lac	6 72	2442 85
Jefferson	631 26	2038 49
Sheboygan	500 31	2298 69
Marquette	4 99	1279 67
Dane		3460 22
Waukesha		2834 39
Green	267 02	1254 01
Milwaukee	1347 03	7207 57
Lafayette	319 81	2747 05
Portage†	209 14	67 86
Columbia	4 57	1114 30
Manitowoc	406 77	1247 29
Rock†	11 26	5417 00
Sauk	58 11	471 00
St. Croix	43 61	182 25
Brown	797 82	1525 60
Calumet†	250 32	797 59
Dodge †	1483 85	2438 37
Racine	2442 92	4832 18
	$10 585 78	$58,695 00

Total, $69,280 78.

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*In this county no separate assessment of merchandise or stock was made, and the tax only levied on real estate.

‡Same assessment as in Washington county.

RECAPITULATION.

REVENUE.

Arrearage of territorial revenue,	$10,585 78
State tax for 1848,	57,169 40
Amount transferred by the late territorial treasurer to the state treasurer, cash,	765 06
Iowa county orders,	300 00
Amount in the hands of the register and receiver of the Milwaukee and Rock River canal lands as reported by the select committee of the legislature,	14,867 61
	$83,687 85

EXPENDITURES.

Warrrants drawn on the treasurer during the fiscal year ending December 31st, 1848.	$32,097 32
Expenses during the same year for which no appropriation has been made,	5,305 03
Estimated expenses of fiscal year commencing Jan. 1st, 1849.	46,980 00
	$84,382 35

(G.)

ABSTRACT of scrip forwarded to Hon. M. C. Darling from secretary's office.

TO WHOM PAYABLE.	NO. OF BILLS.	AMOUNT.
Geo. Beatty,	1	5 00
H. Reed,	1	5 00
Charles H. Larkin,	1	5 00
J. A. Noonan,	1	7 00
Thos E Parmele,	1	12 00
John V. Sydam,	1	5 00
J. Donelson,	1	5 00
Alonzo Platt,	1	7 00
J. Maxwell.	1	50 00
G. P. Delaplaine,	1	5 00
R. L Ream	1	5 00
J. T. Wilson,	1	5 00
Wm G. Vanbergen,	1	50 00
J. E Arnold,	1	5 00
David Wilder,	1	10 00
J. H. Tweedy,	1	5 00
A. R. Clark,	1	5 00
Clark & Jones,	1	5 00
Gratiot & Child,	1	10 00
Elisha Starr,	1	5 00
T. J Emmerson,	1	10 00
Stephen B. Thrasher,	1	10 00
Wm. . Derring,	1	10 00
Cady & Farwell,	1	8 31
John Hacket,	1	5 00
B W. Bronson,	1	10 00
John Graham,	2	10 00
Wm. T. Sterling.	3	25 00
John H. Rountree,	2	15 00
James Tripp,	4	140 00
C J Learnard,	1	5 00
David Newland,	3	45 00
Alfred Brunson,	2	30 00
Charles E. Brown,	3	20 00
Morgan L. Martin,	2	15 00
David Bonham,	3	20 00
Wm. F. Shephard,	2	25 00

STATEMENT, *(Continued.)*

TO WHOM PAYABLE.	NO. OF BILLS.	AMOUNT.
James Morrison, - - - - -	3	15 00
George Hyer, - - - - - -	2	20 00
Thos. L. Franks, - - - - -	2	15 00
J. F. Potter, - - - - - -	2	15 00
R. Bird, - - - - - - -	2	10 00
C. L. Sholes, - - - - - -	2	20 00
N. Smith, - - - - - -	2	20 00
S. F. Gale, - - - - - -	13	350 00
D. R. Burt, - - - - - -	2	10 00
Wm. D. Daggett, - - - - -	7	55 00
B. W, Finch, - - - - -	6	45 00
A. G. Ellis, - - - - - -	3	15 00
Bavid Brigham, - - - - - -	8	60 00
John Catlin, - - - - - -	2	15 00
J. Sutherland, - - - - - -	14	87 00
Wm. W. Wyman, - - - - -	20	180 00
Charles C. Sholes, - - - - -	36	340 00
Almon Lull, - - - - - -	5	30 00
A. P. Field, Sec'y Wis. Terr'y, - -	66	750 00
Thos. J. Morman, - - - - -	3	25 00
		2,691, 31

From Secretary's Office.			From Treasurer's Office.	
NO.	AMOUNT.	TO WHOM PAYABLE.	NO. OF BILLS.	AMOUNT.
1	150 00	Charles C. Sholes,	203	$3421 00
2	632 11½	William D. Daggett,	64	618 34
7	150 00	John F. Meade,	12	270 00
25	18 25	Lorenzo Janes,	23	261 00
57	126 00	Catharine Arndt,	4	204 00
58	85 00	B. Phelps,	29	195 00
64	12 60	John T. Potter,	10	195 00
82	9 00	James Morrison,	38	193 19
94	150 00	W. T. Denning,	11	155 00
95	287 24	D. A. J. Upham,	19	248 50
96	70	John Graham,	17	160 00
97	2	Yates Scoville,	12	145 00
98	18 88	T. J. Emmerson,	6	116 00
99	4	Harrison Reed,	6	75 00
—	7	George Hyer,	8	55 00
3	500	W. Mygatt,	5	25 00
4	20 13	J. A. Hibbard,	2	15 50
14	.50	Henry O. Sholes,	1	10 00
16	125 55	L. F. Kellogg,	2	10 00
17	15	Chas. S. Peaslee,	1	8 00
49	5	Simeon Mills,	1	5 00
52	84			
55	200			
87	48			
473	10			
	$2779 76½			$6394 53

Total, $9174 29½

(H.)

To the Hon. Thos. Mc.Hugh,

Secretary of the State of Wisconsin :

SIR ; I have the honor herewith to transmit and deposit in your office in pursuance of the 6th section of the act of the Territory of Wisconsin, approved march 11, 1848, all the books, platts, mortgages, records and documents, belonging to my office, and in my possession as register of canal lands, together with a statement showing the description and quality of the unsold lands in said act mentioned, as far as the same are known to me.

I have no mortgages in my possession, the same being in the hands of the receiver.

With respect to to the quality of the unsold lands, I have only general information and from that am of the opinion the unsold lands will mostly sell for one dollar and twenty-five cents per acre.

I have provided a record book and prepared and transcribed them with much pains and labor, an accurate statement and registry of all the lands sold under the provisions of the several acts providing for the sale of canal lands beginning with the year 1839 and ending in May 1848.

The following is a list of the books &c., sent herewith:—First, record book of sales; second record book of mortgages third, book of platts.

I have no money belonging to the canal fund, and have never received any of the proceeds of sales of canal lands except my legal fees and expenseses as charged.

Desiring fully and promptly to comply with the law, binding upon me as register of canal lands,

I place the books and papers in your office, but I desire distinctly that they may remain there as a special deposit to be delivered over by you only to such competent legal authority as may be authorized to receive the same, and to be held by you for my protection, until my accounts for services and expenses shall have been audited and settled by such authority.

I have the honor to remain,
Your obedient servant,
JOHN WHITE,
Register of Canal lands.

COMMUNICATION FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
Madison, January 19, 1849.

To the Senate and Assembly:

For your information, the first report of the board of public works submitted to this department, is herewith transmitted.

A careful examination of it is solicited.

The general plan adopted by the board, as embodied in their report, for the improvement of the Fox river and canal, is sustained by good reasons and will be well calculated, if energetically carried out, to promote the progress of the work, and the prosperity of the country interested in its completion.

The board, after a full examination of the law of the last session, are of the opinion that no further legislation is necessary to enable them to proceed with the improvement in a vigorous manner; therefore no modification of the existing laws on this subject are suggested.

NELSON DEWEY.

REPORT

Of the Board of Public Works.

To his Excellency the Governor of the State of Wisconsin:

SIR: The board of public works, agreeably to the requirements of "an act to provide for the improvement of the Fox and Wisconsin rivers and connecting the same by a canal," have the honor to submit the following

REPORT:

At the first meeting of the board of public works, which was held at the capitol on the fourth day of September last, C. R. Alton was appointed chief engineer, and received instructions to proceed forthwith to make the necessary preliminary surveys and examinations for an approximate estimate of cost of the construction of a canal across the portage, and of opening an uninterrupted steam communication by water, from Lake Michigan to the Mississippi river, and to report to the board on the first Monday of December then next ensuing.

The engineer was authorized to select and employ an efficient corps to enable him to complete his surveys and make his estimates within the time allowed him; and it gives us pleasure to be able to state that he has performed the work and discharged the duties assigned him, in a manner most satisfactory to us and highly creditable to himself

From the report of the chief engineer recently submitted to us, showing the result of his labors, a copy of which is hereunto annexed, marked "A," you will be made acquainted with most of the facts in detail, in relation to the present situation of the improvements which it is in our power to communicate.

The number of acres of land within the reserve now surveyed and located by the state, amount to one hundred and twenty-three thousand nine hundred and eighty-eight and ninety-eight hundredths.

The land within the reserve heretofore sold or reserved by the general government, in lieu of which other lands are to be located by the state, amounting to ninety-eight thousand three hundred and seventy and twelve hundredths acres.

The lands within the reserve recently ceded by the Menominee Indians to the general government and granted to the state, but not yet located, is estimated from seventy-five to eighty thousand acres.

Therefore the whole amount of land granted to the state for the Fox and Wisconsin improvement, will not fall short of three hundred thousand acres.

The waste land, for which little or nothing will be realized, is estimated to amount to twenty thousand acres. This deducted from the three hundred thousand acres, will reduce the available land to two hundred and eighty thousand acres, which if sold at the minimum price of one dollar and twenty-five cents per acre, would produce the sum of three hundred and fifty thousand dollars.

In the construction of the Portage canal and the improvement of the Fox river, extensive water powers will be created, and considerable quantities of land will be rendered valuable for hydraulic and commercial purposes. To what extent these will increase the improvement fund, it is not in the power of the board to make an approximate estimate. Much depends upon the policy which shall be adopted by the legislature in relation to the disposal of the water powers and lands ; but, that, in any event, they will produce a large sum, will not be disputed.

The cost of the improvement of the Fox river, and the construction of the Portage canal, is estimated at $373,796 09.—This amount includes the cost of superintendence and salaries of officers.

The survey of the Wisconsin river will be made as early in the coming season as shall be deemed practicable and necessary.

We are of the opinion that the sum appropriated and to be applied to that branch of the improvement, will be amply sufficient to accomplish that object.

It is a matter of the highest importance that the work should be commenced early in the approaching spring and be vigorously prosecuted. The aid in the power of the state should be extended in behalf of the work. The land already located should be brought immediately into market, and sold as fast as funds shall be required for the prosecution of the improvement. Of these lands, we are of the opinion that the number of acres which can be sold within the next fifteen months, will produce the sum of one hundred thousand dollars.

The question here occurs, what plan for the construction and progress of the work will best subserve those great interests intimately identified with, and dependent upon, its progress and final accomplishment?

The plan suggested by the chief engineer in the annexed report, meets our views and can be fully carried out under existing laws. He says, " in my opinion, the most feasible plan to adopt for the future progress of the work, and one that would more expeditiously bring a greater length of river into navigable use, within the shortest possible space of time, and at the same time naturally increase the value of the lands upon which the completion of the entire works depends, would be as follows:

The construction of the Portage canal costing say,	$5[illegible],954 09
The improvement of the Neenah above Lake Winnebago,	9,971 50
Improvement at Rapide Croche,	17,316 55
Improvement at Despere,	16,201 15
Total,	$94 443 29

The whole of the work embraced in the above statement, could be completed in one year from the commencement, and would at the end of that period, open a water communication between the Mississippi and Green Bay with the exception of such improvements as might be required on the Wisconsin, and about 10 miles of land carriage from the foot of Lake Winnebago to the foot of the rapids of the Grand Kaukauna. Leaving the work at the greater rapids within a condensed distance and giving time and opportunity for their improvement which their great importance demands."

One hundred thousand dollars will accomplish these portions of the improvement, and place a steam dredge boat on the Wisconsin river—to work in clearing out the obstructions to the navigation of that stream.

The maps executed by the chief engineer, and now in his possession in the state treasurer's office, can for the present be examined by all who are desirous of doing so. These maps afford evidence of the ability and faithfulness with which the engineer has performed the duties assigned him.

Copies of the map of the grant of land to the state, for the improvement of the Fox and Wisconsin rivers, exhibiting the line of the Fox river from the Wisconsin to Green Bay—the lands that have been selected and the selection of which has been approved, should be ordered for the benefit of the executive and legislative departments.

The liabilities incurred in the prosecution of the work up to first day of January, amount to the sum of sixteen hundred thirty-one eighty-one hundredths dollars—a full exhibit of which is hereunto annexed in schedules "B," and "C."

That portion of country lying in and bordering on the vallies of the Fox and Wisconsin rivers, presents unusual attractions, not only to our own citizens who have visted it, but to strangers who are seeking a desirable location and a permanent home in the west. And the prospect of the early completion of that important work which is to open a market for the surplus productions of that whole region, will give an additional impetus to the tide of emigration which is already flowing rapidly in that direction; and the time is not far distant when it will become as populous and wealthy as any other portion of equal extent within the state.

All of which which is respectfully submitted.

JAMES B. ESTES,
ALBERT S. STORY,
JOHN A. BINGHAM,
CURTIS REED,
H. L. DOUSMAN,
Board of Public Works.

Madison, January, 1849.

(A.)

To the Commissioners of the "Board of Public Works for the Improvement of the Fox and Wisconsin rivers.

GENTLEMEN: In compliance with the instructions embraced in your resolutions of 5th September, I have made the necessary preliminary surveys and examinations for an approximate estimate of cost, of the construction of a canal across Winnebago Portage; and of the proposed improvement of the Neenah and Fox river from Fort Winnebago to Green Bay, and herewith present you wit such results as the time at my command, since the completion of the surveys, would permit me to prepare.

The general plan and dimensions of the proposed improvement should be such, as would seem to be indicated by the size and depth of the two streams, the Wisconsin and Neenah, which would at the same time answer the general wants of the community and the trade that would flow through this channel; and the expense of which would not exceed the amount of the appropriation.

Having these objects in view, it is believed that the following dimensions might be safely adopted, viz: a canal with 40 feet width of bottom, banks 8 feet high, slopes 1½ to 1, or 2 to 1, according to the nature of the materials, and calculated for a depth of 4 feet at usual low water.

Locks to correspond with this canal, which would be capable of passing the small steam boats, that would probably do the principal part of the carrying trade on the rivers, should be 125 feet long between gates, and 30 feet wide in the chamber.

Steamboats adapted to locks of the foregoing dimensions, might be 110 feet in length, 16 feet beem, and 28 feet across the guards, and would have a capacity equivalent to about 80 tons, exclusive of the weight of the engine and machinery.—Barges would be used in connection with these boats for the transportation of merchandize and produce, to be towed from point to point, as circumstances might require.

WINNEBAGO PORTAGE.

The general appearance of the ground lying between the Wisconsin and Neenah rivers at this point, is that of an extensive, sandy, and marshy flat, but slightly elevated above either stream, and there is every reason to conclude from the appearance of the soil, that more or less quicksand exists at a short distance from the surface.

An examination of two lines was made, numbered in the accompanying sketch, No. 1 and 2, having different points of commencement on the Wisconsin, but both terminating at the same point on the Neenah.

Line No. 1 commences near Carpenter's at the Portage village, and terminates a short distance north of the U. S. agency house, at the point of a bluff, and at a suitable location for the construction of a lift lock and basin. The total amount of fall and necessary lockage is 1,77 feet. The distance is 1 19-20 miles.

Line No. 2 commences higher up the Wisconsin, at a point where the bluff approaches the river, and follows near or along the foot of the bluff to the same terminating point as line No. 1. The amount of fall and necessary lockage on this line is 3,83 feet, the distance 2 1-20 miles.

It will be seen by reference to the map, that there are two channels in the Wisconsin, opposite the portage, either of which seem to have a sufficient depth of water at the present time, for navigable purposes. Line No. 1 commences at and would be entirely dependent upon the most northerly of these channels; while the commencement of line No. 2 is such as to command the entrance of the canal from either channel of the river. And it might be an important question, whether one of these channels might not, from the shifting nature of the material of which the bed of the Wisconsin is composed, entirely be closed during the low stages of water in the summer, and render the canal dependant upon it entirely useless. Such might be the case with a construction upon line No. 1, but could never occur upon line No. 2.

Another point of importance is, that by the adoption of No. 2, a less average depth of cutting would be encountered, which would unquestionably diminish the comparative expense of excavation, as it is believed that a smaller amount of quicksand would be found than upon line No. 1.

Finally with a head of 3,28 feet, that can be obtained upon line No. 2, a fine water power might be credited at the lift lock if deemed desirable for the interests of the state, and a larger supply of water could be thrown into the Neenah, which would materially affect the volume of that stream, and affect it beneficially for navigable purposes.

As stone of a suitable quality for the construction of locks cannot be readily obtained in this vicinity, estimates have accordingly been made for building these structures of timber laid up in the form of a double dock, lined and made perfectly tight with plank and boards.

It has also appeared necessary to calculate upon protecting and supporting the inner slopes of the canal as high as the water line, as well on account of the swell that would naturally be created by the passage of the boats, as from the tendency of the material to slide after the excavation shall have been completed.

For this purpose, a revetment of plank snpported at top and bottom by timbers would on account of economy, probably be the best plan to adopt

Annexed is the estimate of the cost of the two lines, based upon timber locks.

Line No. 1,	$51,486 87
Line No. 2,	$50,954 09
Showing a difference in favor of No. 2 of	$514 78

NEENAH RIVER FROM PORT WINNEBAGO TO LAKE WINNEBAGO.

The general appearance and character of the upper portion of this stream is that of an extremely crooked canal winding through a wide marshy flat, frequently expanding into small ponds or lakes, which are almost entirely grown over with wild rice. The obstruction which this rice offers to the free passage of water, is unquestionably the principal cause of the formation of most of the bars, which at present interfere with the free navigation of the stream.

Cutting off a few of the elbows, dredging off some of the abrupt points, and removing the bars, would be the character of the improvement required upon this portion of the river.

At "the Forks," nine miles below Fort Winnebago, the Neenah receives a tributary from the north, equal to it in size and volume of waters. From this point to Lake Buffalo, a distance of 11 miles, the stream assumes a more decided character, maintains a better width and depth, flows with a stronger current, and offers less obstruction to navigation, and consequently, would require but slight improvements.

Through lake Buffalo, 11 miles, the channel is well defined, and of sufficient depth. Between lakes Buffalo and Puckaway, 9 miles, the stream is extremely crooked, but for the present purposes of navigation, would require improvement at only one point, viz: at the foot of lake Buffalo, where a slight rapid occurs extending over a distance of about one fourth of a mile.—Dredging and a contraction of the stream would remove this difficulty.

Through lake Puckaway, 8 miles, there will be no difficulty in finding a sufficient channel.

From lake Puckaway to Hersey's landing, 18 miles obstructions occur at only four points, which might be improved by the same method as that recommended at the foot of lake Buffalo. From Hersey's landing to lake Winnebago, 48 miles, but little improvement would be required, as the stream seems to be well adapted to the purpose of navigation in its present condition.

The most feasible and effectual plan that suggests itself, for the improvement of this portion of the Neenah, is the construction of a small steamboat, furnished with the necessary dredging apparatus, and such other tools and implements as might be required for the proposed work and arranged with iron flanges on her side wheels, for the purpose of cutting and breaking down the beds of rice, through which the stream passes.

Annexed is an estimate of the cost of boat, and the probable expense of working her for four months, which would probably be a sufficient length of time for effecting the objects desired.

ESTIMATE.

Construction of a small steamboat, with dredging apparatus attached, tools and

implements,		$7,000 00
1 superintendent, 4 mos. at $60 per mo.,	$240 00	
1 engineer, 4 months, at $40 per month,	160 00	
10 men, 4 months, at $16 per month,	640 00	
1500 rations, at 25 cents each,	375 00	
Fire wood, &c.	150 00	2,065 00
		9,065 00
Add 10 per cent for contingencies,		906 50
Aggregate.		$9,971 50

This boat might be used to advantage in the improvement of the Wisconsin, after the desired objects have been effected in the Neenah, and the Portage canal shall have been completed; and a fair proportion of the expense of construction might with propriety be chargeable upon the amount appropriated for the improvement of the former stream.

LAKE WINNEBAGO TO GREEN BAY.

The main obstacles to the navigation of the Neenah occur between lake Winnebago and Green Bay, in the important rapids that are found at the following points, viz: Winnebago rapids, Grand Chute, Cedar rapids, Petit Chute, Grand Kau-kauna, Rapide Croche, and Desperes.

The plan to be pursued in the improvement of these rapids, should be the construction of the necessary dams, lift locks, and short lines of canal connecting with navigable water above and below.

Suitable materials can be found at or near all of these rapids for the construction of stone locks, the masonary for which should be substantial in its character laid in hydraulic cement, and *smoothly hammer dressed* on its inner face.

Brush and gravel dams can be built with more facility and economy, than those of either timber or stone, and are generally found when constituted of proper materials, to be quite as permanent.

WINNEBAGO RAPIDS.

These are the first rapids on the Neenah, and occur at the point, where it leaves lake Winnebago by two channels, which are distinguished from each other by the term northern and southern.

A sufficiently accurate examination of these channels was made to establish an approximate estimate for the improvement required, which would be for the canal, $13,000 00
And for a lock of 9,10 feet lift, 11,000 00

Aggregate, $24,000 00

THE GRAND CHUTE.

About five miles below the foot of Winnebago rapids, consists of a perpendicular fall of about 4 feet, and a series of rapids extending over a mile and a half below.

A dam of 660 feet in length and with an average height of 6½ feet, a set of flood gates, 2 locks of 10 feet, 1 of nine feet, and 1 of 8 8 feet lift, and 9836 feet of canal would be required.

The estimated cost of the entire improvement at this point is $76,709 30.

CEDAR RAPIDS.

Three miles below the foot of the Grand Chute will require a dam 700 feet long, 6 feet high, a lift lock of 10 feet, and 660 feet of canal, and would cost $19,294 11.

THE PETITE CHUTE.

One mile below Cedar rapids is formed by a slight perpendicular fall, and a continuation of rapids extending one and a half mile below, and will require a dam at the head 500 feet long, and about 6 feet high, a set of flood gates, 2 locks of 8 feet, 1 of 9 feet and 1 of 10 feet lift, and 8316 feet of canal.

The estimate of cost is $70,929 13.

THE GRAND KAU-KAU-NA.

One and a half miles below the foot of the Petite Chute has about the same length of rapids, and would require a dam 660 feet in length, 5 feet high, a set of flood gates, 2 locks of 10 feet, 2 of nine feet and 1 of 11 feet lift, and one and a half miles of canal.

Costing $88,330 26.

RAPIDE CROCHE.

Is a slight rapid four miles below the foot of the Grande Kau-kau-na, and would require a dam 650 feet long, 6 feet high, a lock of 6 feet lift, and 800 feet of canal.

Estimated cost $17,316 55.

DES PERES.

Eleven miles below Rapide Croche, and five miles above Green Bay is the lowest point on the Neenah where improvements would be required. At this point a dam has been constructed across the stream, which in its present condition would probably answer all useful purposes.

The old lock for passing boats around the dam is a very imperfect wooden structure, and would not answer the desired object for the purposes of navigation.

The estimate for the improvement at this point contemplates the construction of a stone lock of 7½ feet lift, and 1200 feet of canal.

The aggregate would be $16,201 15.

RECAPITULATION.

Winnebago Portage line, No. 2,	$50,954 09
Neenah between fort and lake Winnebago,	9,971 50
Winnebago Rapids,	24,000 00
Grand Chute,	76,709 30
Cedar Rapids,	19,294 11
Petite Chute,	70,929 13
Grande Kau-kau-na,	88,330 26
Rapide Croche,	16,316 55
Des Peres,	16,201 15
Total amount,	$373,706 09

In conclusion permit me to add, that in my opinion under the existing acts for the construction of this improvement, the most feasible plan to adopt for the future progress of the work, and one that would more expeditiously bring a greater length of river into navigable use within the shortest possible space of time, and at the same time materially increase the value of the lands upon which the completion of the entire work depends, would be as follows:

The construction of the Portage canal costing	$50,954 09
The improvement of the Neenah above L. Win.	9,971 50
The improvement at Rapide Croche,	17,316 55
The improvement at Des Peres,	16,201 15
Aggregate,	$94,443 29

The whole of the work embraced in the above statement could be completed in about one year from the commencement and would at the end of that period, open a water communication between the Mississippi and Green Bay, with the exception of such improvements as might be required on the Wisconsin, and about 10 miles land carriage from the foot of lake Winnebago to the foot of the rapids of the Grand Kau kau-na.

Leaving the work at the greater rapids within a condensed distance, and giving time and opportunity for there improvement, which their great importance demands

Two lines for the transportation of goods from Green Bay to points on Lake Winnebago and the upper portion of the Neenah, have already been formed. The means employed are Durham boats to the foot of the Grande Kau-kau-na, portages around the rapids above, on the west side of the river, or across to "the Coupe," a point at the northern extremity of Lake Winnebago, whence the goods are carried by a small steamboat to their points of destination.

Considerable quantities of merchandize have passed through on these lines during the past year; and there is no question, but the amount will be materially increased during the coming season, and that large quantities of produce will seek a market in the direction of Green Bay as soon as the channel of communication affords reasonable facilities for transportation.

The examination of the Wisconsin will be commenced as early next season as the weather will permit, and the results with the estimates for its improvement submitted to you in a future report.

Very respectfully, your ob't serv't.,

C. R. ALTON,

Chief Engineer.

(B.)

SCHEDULE.

The following accounts have been audited and allowed by the board, to wit:

To C. R. Alton for services as chief Engineer, 118 days, at $1800 per year.	$581 91
To C. R. Alton, for expenses attending surveys, &c,	149 99
To A. H. & C. Burly for stationary for engineer's office,	34 13
To L. Van Slyck for services as rodman in the field, and assistant in engineer's office,	94 00
To J. Kip Anderson, for services as draughtsman in engineer's office,	76 00
To Charles Doty,	72 00
To Curtis Reed, for supplies for engineer's corps,	74 56
To J. S. Fisk, for township plats,	10 00
To Albert S. Story, for services as commissioner,	36 00
To J. A. Bingham,	21 00
To H. L. Dousman,	24 00
To Curtis Reed,	30 00
Amount,	$1203 59

(C.)

SCHEDULE.

The following liabilities have been incurred, the accounts for which have not been presented to the board, to wit:

To S. B. Welch, for services on the engineer's corps,	$18 00
" Stephen Richards,	22 20
" John L. Bevens,	40 00
" Peter Barnes,	3 50
" Charles Verbeck.	3 50
" Henry Floyd,	80 00
" W. H. Spain,	16 00
" B. Pinckney,	29 50
" D. Hinckley,	25 50
" G. T. Getty,	24 73
" Henry Merrill, for supplies for engineer's corps,	58 73
" Gideon Low,	47 00
" F. L. Veeder,	6 00
" A. Wilson,	31 26
" S. Leach, for boat,	22 00
Amount,	$426 22

REPORT

Of the Committee on Revision.

To the Legislature of the State of Wisconsin:

The undersigned, commissioners appointed pursuant to an act of the legislature of the state of Wisconsin, approved July 13th 1848, entitled "An act to provide for revising the statute laws of this state," would respectfully report: that two of them, immediately after being notified of their election, met at Madison to enter upon the duties assigned them. The resignation of their associate, and the appointment by the governor of a substitute, necessarily caused considerable delay, as it was not deemed expedient to proceed until the vacancy was filled. At as early a day as practicable, however, the commissioners met and entered upon the duties of their appointment. But their labors have been interrupted by their necessary absence a portion of the time. The commissioners deem this explanation proper, as a reason why they have not made further progress in their labors, which, perhaps, it may have been supposed they would by this time have completed.

Before entering upon their work, it was necessary to settle the plan of its execution. And that a correct estimate may be be formed of the propriety of the course the commissioners pursued, and of the principles which should govern a revision of our statute laws, they conceive it proper to give a brief statement of the origin and progress of those laws, and their present condition.

Upon the organization of the territory of Wisconsin in 1836 the people then within her limits found themselves, by the act which gave them a separate political existence, subject to the laws of Michigan. These originally derived from as many different states as the legislators who enacted them, had been modified and amended from time to time, first by the governor and judges, and afterwards by the legislative council, to meet the limited wants of the early settlers: yet they formed a very imperfect system, and one far behind the progress of legislation in other states, and the increasing necessities of the times.—The legislatures of Wisconsin saw the imperfections of this system, and sought to remedy them. At their first session convened at Belmont, October 25th, 1835, they passed several acts of a general nature, and at their next session, held at Burlington the year following, they attempted a partial revision of the laws by the passage of some that were new, the re-enacting of others in a modified form, and the selection by their titles from the body of the Michigan statutes, of those which they considered worthy of adoption all which they directed to be published together in one volume. The design of the legislature, however, was but partially executed, and the selection from the Michigan statutes were never made, or if made, was not published.

At the next regular session of the legislature, being the first after the separation of Iowa from Wisconsin, and also the first held at Madison, the importance of an immediate revision of the existing laws seemed to have early engaged the attention of the legislature. They accordingly appointed a joint committee of three from each house to enter at once on the work, and adjourned to give time for the committee to prosecute their labors; requiring them to report at an early day. The powers conferred by the resolution appointing this committee were much more limited than those granted by the law authorizing the present commission, and yet, so short was the time allowed them in which to perform their labors, that they were enabled but partially to exercise the powers with which they were invested, They made selections from the statutes then in force in the territory, and the laws of the several states, principally those of New York and Massachusetts, and arranged the various materials without any, or with very slight additions or alterations, in the form in which they appear in our revised statutes.

Upon this foundation, evidently too narrow for a superstructure adequate to the wants of the people for whom it was intended, has been reared the work of ten successive legislatures, composed of men of various origin and prediliction. Each successive legislature has attempted to supply what was wanting, and to remedy defects in existing laws. Amendment has has been added to amendment, and change has succeeded change, until our laws have become involved in obscurity and confusion.

The act authorizing the township system of government, in itself a system of laws, was passed in 1841, and adopted in all the eastern portion of the the territory. This act, besides a general revision in 1843, embracing numerous amendments has been amended from time to time, by almost every successive legislature since its adoption; so that that, which should be plainest and most famillіar of all laws to the mass of the people, has become involved in much intricacy.

In this condition, as to our statute laws, the state of Wisconsin found herself upon the adoption of her constitution.—By that instrument a radical change is made in the whole framework of our government, extending to the executive, the judicial, and even the legislative departments of government, requiring corresponding changes throughout the whole range of administrative law; and materially affecting the entire body of our statutes. New offices are created, new duties are enjoined, and to meet these and carry out the provisions of the constitution in other respects, new laws are required in the election and school laws, in the raising of revenue, in judiciol proceedings, and the appropriation of fines and penalties, indeed, in almost every branch or our statute laws, additions and changes are demanded to meet the requirements of the constitution, and the new and increased wants of the state.

We have been thus particular in alluding to the past history and present condition of our laws to show what we deem the proper course to be pursued in their revision, and the difficulties we have had to encounter.

The act authorizing the election of commissioners to revise the laws seems to contemplate that they should suggest in writing, by reports or notes accompaning the acts revised, the contradictions, omissions, or imperfections which might appear therein, and the mode in which the same might be reconciled, supplied, or ammended, and their reasons for advising the repeal of any act which in their judgment ought to be repealed.—With this provision the commissioners have been wholly unable to comply. It must be obvions that the performance of such a labor would consume much time, and in their desire to report as large a number of acts as possible to the present legislature, they have omitted what they deemed of lesser importance, that they might forward the main design of their appointment. It was judged best to prepare to submit as many acts as possible, without consuming time in notes and comments, as the acts submitted would speak for themselves, and show wherein they differed from the present statutes, and any explanations the legislature might call for, could far more easily be made through a joint committee of revision, verbally by the commissioners, should the legislature see fit to appoint such committee, than in any other manner.

Had we attempted a compilation only of our existing laws, the provisions repealed or altered are so connected and interlaced with those in force, and laws on the same subject so modify and overlay each other,that it would often be impossible to separate them, and the body of laws thus formed would not only be more voluminous than an entirely new revision, but would partake of all the inherent defects which they now possess.

The commissioners conceived that from the liberal scope of the act authorizing their appointment, the legislature intended to leave a wide margin for their discretion, when, on a full survey of the whole subject, they should determine what plan it was best to adopt. They, therefore, upon consideration, and with a settled conviction of the propriety and necessity of the measure, concluded to pursue the spirit and exercise the discretionary powers contained in the act authorizing their apointment; and to propose to remodel the plan of our laws after the most recent and approved revisions in other states, arranging them systematically in appropriate parts, titles, chapters, and sections and placing all that pertained to the same subject, so far as possible, together in one place.

Besides the facilites which such an arrangement of the statute laws affords to every citizen to acquire a knowledge of them, it furnishes a chart and safe guide to future legislation. In such a system defects in existing laws are easily detected, and the remedy easily applied: contradictory provisions are avoided amendments can be made and referred to approprite heads without causing obscurity or confusion: and the work once accomplished, the volume of the laws will be greatly reduced and all future editions can be issued with the alterations which have been made, by slight changes of the original text, with little labor and without requiring a new revision, or another compilation. Indeed, a work completed upon this design, if thorough, is permanently done; it gives certainty and stability to the laws, does away with much unnecessary and injurious legislation, and confers a general public good.

Impressed with these views, which we conceive will commend themselves to the legislature, we entered upon our work. We did not feel ourselves at liberty to propose, in the drafts which we have made, essential changes in the existing laws where it could be avoided, unless thereby a manifest improvement could be made. But we have usually taken the laws now in force as our text and standard, embodying all their useful provision, together with such as could be found applicable in the laws of other states, adding such new matter as the constitution and our particular necessities seem to require, and which was necessary to give completeness to the work.

We propose to divide the laws into four parts, as follows:

1st. Those which relate to the political divisions, the civil polity, and the internal administration of the state.

2d. Those which relate to the acquisition, the enjoyment and transmission of property, real and personal; to the domestic relations, and other matters connected with private rights.

3d. Those which relate to courts and the judiciary, and the mode of proceeding in civil cases.

4th. Those which relate to crimes and punishment; to proceeding in criminal cases, and to jails and prisons.

This is the natural division of the laws, and has been adopted in the most approved revisions of the statutes of the several states. Each part we propose to divide into appropriate titles, each title into chapters, and the chapters into sections. It may not be necessary or expedient to introduce into the printed copy of the statutes, the divisions of parts and titles, but in drafting and arranging the laws, it is a matter of convenience to have regard to them.

For the purpose of easy and convenient reference, we further propose to number the chapters consecutively from the begin ning to the end of the volume, so that any provision can be referred to by simply naming the section and chapter. Whenever a chapter is long, we have broken it into subdivisions, and arranged them in their natural order, with appropriate heads, placing together so far as possible all provisions relating to the same subject. We have thus sought to secure order of arrangement and combine with it unity of design; objects of great advantage, and which should be sought for with an earnestness and perseverance commensurate with their importance.

We have furthermore aimed at simplicity and perspicuity; breaking up long and cumbrous sections, and re-writing them and often dividing them into several, making usually each section contain only one leading idea, or general provision. This method prevents lumbering the sections with exceptions and provisons, and avoids complexity and ambiguity. Where, in defining the duties of officers, and in some other instances, several provisions were contained in a single section, we have separated them into sub-sections, numbering the divisions in their order. We have endeavored to avoid repetitions and verbose and technical language, and all unusual words and phrases The above is a brief outline of the plan the commissioners proposed to pursue, and which, so far as their limited time would permit, they have endeavored to carry out.

The first part of the proposed division, embracing the following subjects, will be submitted to the legislature at an early period of its present session:

1st. Of the sovereignty, jurisdiction, and boundaries of the state.

2d. Of the construction, publication, and distribution of the statutes.

3d. Of the civil divisions of the state.

4th. Of elections other than for militia and town officers.

5th. Of the legislature.

6th. Of state officers, their powers and duties.

7th. Of counties and county officers, and their powers and duties.

8th. Of towns and town officers, and their powers and duties.

9th. Of the assessment and collection of taxes.

10th. Of the public buildings and other public property.

11th. Of the public health.

12th. Of common schools and public instruction.

13th. Of highways, bridges and ferries.

14th. Of regulations connected with trade, embracing the subjects of limited partnerships, weights and measures, bills of exchange, &c.

15th. Of corporations.

16th. Of the internal police of the state, comprising chapters on the relief and support of the poor—disorderly persons—illegitimate children—taverns and groceries—the observance of the Sabbath—public shows and exhibitions—betting and gaming—lost goods and strays—unauthorized banking—and other subjects naturally ranging under the same general head.

We give the above not as the precise language of the division, nor the exact order of arrangement, nor as embracing all of the heads of subjects, we have had under consideration, and intend to submit as the first part of the statutes; but as exhibiting an outline indicating the principal subjects and the general manner of their arrangement.

Of these subjects we herewith submit the following:

Of state officers.

Of counties and county officers.

Of towns and town officers.

Of common schools.

It will be perceived that these embrace a considerable amount of matter, and other chapters will be in readiness to submit as fast as they can be copied from the corrected manuscripts.

The chapters herewith submitted may appear of unnecessary length, and minuteness of detail; but when the extent and complexity of the subjects of which they treat is considered, and when, moreover, we reflect, that our wants in regard to laws are now, or soon will be, equal to those of the older states, it is believed the propriety of the manner in which they appear as reported will be manifest. And the method of clas sification and arrangement which we have adopted, we cannot but hope will render them not only plain and easy to be understood,but will remove all serious objection to their length

All of which is respectfully submitted.

C. M. BAKER,
M. FRANK,
CHARLES S. JORDN.

REPORT

Of the Regents of the University.

The Regents of the University respectfully submit to the legislature this, their first annual report.

The third section of the act establishing the University provides that, "the members of the board (of regents) at their first meeting, shall be divided, in such manner as they shall determine, into classes numbered one, two, and three: class numbered one, shall hold their office for two years; class numbered two for four years; and class numbered three for six years, from the first Monday of January one thousand eight hundred and forty-nine, thereafter, those elected biennially to supply the vacancies made by the provisions of this section, and in the manner provided for in the same section, shall hold their office for six years respectively."

The classes, into which the members of the Board are divided, in pursuance of the above named provision of the statute, are the following:

Class numbered one, Alexander L. Collins, Edward V. Whiton, John H. Rountree, J. T. Clark.

Class numbered two, Eleazer Root, Simeon Mills, Henry Bryan, Rufus King.

Class numbered three, Thomas W. Sutherland, Cyrus Woodman, Hiram Barber, John Bannister.

The regents, in entering upon their duties, have been deeply impressed with a sense of the importance and responsibility of the trust committed to their hands. They are required to organize and put in practical operation, an institution of learning of the rank of a University. There is no public interest of greater magnitude, than that of education.

It is intimately connected with our social prosperity and happiness, and with the perpetuity of our free institutions. For the promotion of this great state interest, the most liberal provision has been made by our constitution and laws; and we may reasonably anticipate, that the blessings of education will be as widely diffused through our commonwealth, and as fully enjoyed by our youth, as in any other civilized community.— But to secure a result so desirable requires much careful deliberation, and the adoption of wise and judicious measures. The University will occupy the highest place in our educational system, and if properly organized, will make that system complete. From its design, it must necessarily embrace a wide range of study and a severe course of mental discipline. It is important that the plan upon which it shall be conducted, particularly as regards its several departments of instruction, should be well chosen. To organize these departments in accordance with the advanced progress of science, and so as fully to meet the wants of our youth, is an undertaking of no ordinary difficulty. On many points connected with such an undertaking it is well known that there are essential differences of opinion, even among those who have had the best opportunities to arrive at correct conclusions. Arrangements, that are regarded by some with favor, are considered by others to be of doubtful expediency, if not of injurious tendency. In addition to this, we have before us, in the history of American colleges, the examples of many literary institutions which commenced their existence with flattering prospects, but which have failed to realize the just expectations of their founders, and those that have attained to an honorable distinction, have passed through periods of severe trial.

Under these circumstances, before they proceeded to the adoption of any plan for the permanent organization of the different departments of the University, the regents were anxious to avail themselves of all the light, which they might be able to derive from the wisdom and experience of others, and they are now engaged in a correspondence with many eminent men, connected with other literary institutions, to secure this object.

They hope, by a careful consideration of the whole subject, as well as by aid of the enlightened experience of others, to secure for Wisconsin, an institution of learning, of the highest order of excellence.

As preliminary, however, to their further action, and in accordance with what they deem a judicious policy, the regents have proceeded, under the act defining their duties, to the adoption of the following measures:

First. The selection of a Site for the University.

Among the many locations at or near the village of Madison, suggested as a site for the University, the regents have determined, that the one known as "College Hill," is the most suitable. It is situated one mile west of the capitol, and sufficiently elevated to overlook the village of Madison, the four lakes, and a wide extent of the surrounding country. A committee were appointed to negotiate for the purchase of this site, who have reported from the owner of the same, by his agents, the following proposition, viz: "Hon. Aaron Vanderpool of the city of New York, who is the owner of the N. W. ¼ of section 23, in town 7, north of range 9 E., proposes to sell to the University 157½ acres for fifteen dollars per acre, with the addition of the taxes for the present year, and a commission of 2½ per cent. to his agents, Catlin & Williamson."

The owner of said tract is unwilling to sell the same in parcels. Such portions of it, as may not be needed for purposes of the University, can be readily disposed of without sacrifice.

The regents believe, that it would be advantageous to the interests of the University, to accept the above proposition, if the site designated should meet the approval of the legislature, which the board unanimously recommend.

Second. Preparatory School in First Department.

The first department in the University is a department of science, literature, and the arts

In accordance with the usage of similar institutions, the regents deemed it expedient to organize a preparatory school, in this department.

This was more manifestly necessary from the consideration that there are very few academical institutions in the state, where the proper instruction can be obtained, to qualify students to enter the regular classes of the University.

It is believed, also, that such a school will always be of singular benefit to students, by furnishing them with such advan- of instruction, through the professors in the University, as ill rarely be able to obtain elsewhere. The regents deem it also a wise policy in regard to the University, to extend the advantages of education which it may afford, as far as may be practicable and expedient, so as to benefit the greatest number. The citizens of Madison. having generally tendered the University the use of a building free of rent, the regents accepted the same, and have advertised the school to commence on the first Monday of February next, under the charge of JOHN W. STERLING, professor elect in the University.

The income from tuition fees, at the rate of twenty dollars per scholar, per annum, it is believed, will be amply sufficient to defray the expense of instruction in this preparatory school; and such expense, the regents have limited, as far as their liability is concerned, to five hundred dollars.

The following is the course of study; English Grammer; Arithmetic; Ancient and Modern Geography; Elements of History; Algebra; Cæsar's Commentaries; Aeneid of Virgil (six books;) Sallust; Select Orations of Cicero; Greek Lessons; Anabasis of Xenophon; Antiquities of Greece and Rome; Exercises in Penmanship, Reading, Composition and Declamation. Instruction will also be given, to all who desire it, in Book-keeping; Elements of Geometry and Surveying.

Third. The Election of Chancellor.

By the act incorporating the University, the chancellor is made, *ex officio*, president of the board of regents. As this officer was to be elected by the regents, they deemed it expedient to proceed to his election, in the commencement of their operations, that they might have the benefit of his advice, in all matters pertaining to the institution over which he was to preside, and in the success of which, he must necessarily feel, from his position, a more than ordinary share of interest and responsibility. Such a course, also, seemed to be contemplated, by the terms of the act, above referred to. In the discharge of this important duty, (the election of chancellor) the regents were influenced by a desire to place at the head of the University a man, who should not only be qualified, by his experience, scholarship, and character, to preside with dignity and efficiency over the institution, and promote all its interests by wise counsels, but able, also, to impress the popular mind of Wisconsin, with the paramount importance of the great subject of education.

Under the guidance of this desire, the regents unanimously made choice of JOHN H. LATHROP, the present accomplished president of the University of Missouri, to be the chancellor of the University of Wisconsin, and to enter upon his duties in September next. They also fixed the *maximum* of the salary of chancellor, at two thousand dollars per annum. The regents are required, by the act establishing the University, to submit the amount of salaries of University officers, to the legislature for their approval or disapproval. The above maximum is recommended to the approval of the legislature. It is believed to be at about a medium of the rate of salaries, paid to the presidents of our most respectable American colleges.

Fourth. The formation of a Cabinet of Natural History.

The regents deemed it expedient to adopt measures for the collection of specimens, to form a cabinet of Natural History. The importance of the object, and the comparatively trifling expense, at which it could be successfully prosecuted, removed every objection, to the immediate adoption of such measures. They accordingly appointed, at their first meeting, H. A. TENNEY, ESQ., of Madison, to act as agent, in collecting specimens for such cabinet. Mr. TENNEY generously consented to act in that capacity, without any charge for his services, and has already made considerable progress in collecting specimens, as will be seen by his report recently made to the board, which is herewith submitted.

Fifth. The University Buildings.

The regents have not, as yet, been able to mature any *general* plan, for University buildings. Their attention has been carefully directed to this subject, but they do not consider it wise or expedient to adopt any plan, until it shall be ascertained, more definitely than it is at present, what will be the probable amount of income of the University fund. Without more information on this subject, than they now possess, they are not able to determine, what portion of the income may be safely expended for building purposes. They would propose, however, the erection of one building of moderate dimensions, on a site intermediate between the capitol and college hill, which will be sufficient to answer present purposes, and until the erection of other buildings may be found necessary.

The ultimate use of the proposed building, is designed for the *fourth* department, whenever the organization of that department shall be deemed expedient. Such a design requires its location, apart from the other University buildings. Its probable cost is estimated at three thousand five hundred dollars. A plan of the building is herewith submitted to the legislature, for their approval, on the site contemplated.

Expenses.

An expense of about seventy-five dollars has been incurred by the regents, in the measures they have thought it expedient to adopt, to procure information, and to facilitate the preliminary operations of the board. Before anything shall be realized from the income of the University fund, it is probable, that additional expenses may be necessarily incurred. The regents would respectfully suggest, that the sum of one thousand dollars be placed at their disposal in the treasury of the state, to defray such contingent expenses, [illegible] cover the first payment for the University site, if the same shall be approved—such sum to be repaid from the income of the University fund, whenever the same shall be realized.

E. ROOT,
JULIUS T. CLARK,
SIMEON MILLS,
HIRAM BARBER,
ALEX. L. COLLINS,
JOHN H. ROUNTREE,
JOHN BANNISTER.
THOS. W. SUTHERLAND,
RUFUS KING.

N. B. The regents, whose names are not signed to the report, were not present at the last meeting of the board.

REPORT OF H. A. TENNEY.

MADISON, January 15, 1849.

Gentlemen of the Board of Regents:

In pursuance of the request made at your last meeting, that I would act as agent to solicit specimens for the cabinet of the state University, I addressed circulars [see circular marked No. 1,] to near two hundred citizens residing in the several assembly districts and precincts of the state, calling their special attention to the project, and soliciting a hearty co-operation in aid of the enterprize. A more extended notice was subsequently given in the "Argus," which was made universal through the friendly aid of the editorial fraternity of the state; every newspaper having, I believe, without exception, published and favorably noticed the proposition. The result of these combined efforts has been attained with greater success than I anticipated, under the circumstances. The lateness of the season when the call was put forth, prevented many from making collections, who doubtless would have done so; and I have reason to believe that during the coming year very large additions will be made to the liberal collection already made.

The accompanying list will apprise the board of the extent of the collections thus far. The specimens are in my possession, safely boxed and ready for delivery. [See list, marked No. 2.] Among the individuals to whom special and particular thanks are due for the liberality of their contributions, I would mention as first and foremost, Mr. I. A. LAPHAM, of Milwaukee. Letter marked No. 3, dated November 10, 1848, was the first proffer made from any quarter. Letter marked No. 4, dated January 9th, accompanied a box of specimens, the name and number of which are given in the list enclosed.— They are a valuable suite, such as could have been obtained from no other person at the present time. The advice of Mr.

L. for me to make application to the proper department at Washington for duplicate specimens [See letter No. 3,] has been acted upon; and I have addressed Hon. H. DODGE and M. C. DARLING, on the subject, who have each promised to use every effort to secure the favor desired; and the result of their application will soon be known. I would respectfully call the attention of the board to the proposition of Mr. L., for the collection of an Herbarium, and recommend it to your favorable consideration. Such a collection of dried plants will be of great value to the institution; and a better or more economical plan for obtaining it cannot be devised, and may never offer again.

Another gentleman to whom special thanks are due for a generous tender of specimens, is Mr. HORACE JACOBS of Lake St. Croix, W. T. In reply to my circular letter, he proffers several boxes of specimens—being a perfect suite of all varieties of primitive rocks found in the north-west portion of the state. These he offers to forward at the opening of navigation. Mr. J. is attached to the U. S. Geological corps; and further, generously proposes to furnish any other and additional specimens that can be obtained during the coming season. [See letter marked No. 5.]

The Hon. R. M. BRIGGS, of Grant county, is also entitled to the thanks of the board for several valuable specimens furnished.

A box forwarded by DAVID LAMBERT, Esq., from St. Pauls, W. T., in November last, was by accident detained; but is expected on the opening of navigation in the spring.

The names of the other persons who have made donations, will be found in the list annexed, in connection with their contributions.

The efforts already made to collect a cabinet, seem to have aroused a lively interest in the public mind; so that isolated specimens of almost every description—Indian arrows—copper boulders—pyrites—in fact all that is regarded as *curious*—are very cheerfully forwarded. Should this interest continue, even for the coming season, a large and somewhat miscellaneous collection will be made. To improve every opportunity to make valuable additions, I would respectfully recommend the appointment of several assistant agents, at different points in the state. The names of I. A. Lapham, Horace Jacobs, and R. M. Briggs, are mentioned as especially entitled to consideration. With a number of such zealous lovers of these sciences, living wide apart, but combining their efforts for a common purpose, and feeling that they are acting with your special approbation; the chances of a large and perfect collection would be greatly increased.

I would recommend to the board that efforts be made to collect a cabinet of marine and fluvatile shells. A perfect suit of our fresh water shells can be obtained with but little expense and difficulty, and would form a valuable addition to the geological cabinet. A collection of marine shells can be made in any of the Atlantic cities, at a comparative trifling expense; and would be of equal or greater value. Efforts ought also to be made to obtain suits of specimens from the several eastern states—which can be effected by exchanges—and very probably, if applications were made to proper persons, by voluntary contributions. If members of the board, who may have such acquaintances at the east, will but make application, I doubt not they will be entirely successful.

I have thus stated the principal points to which I would request your attention. The prospects for collecting a valuable cabinet, are extremely flattering. Persevering and continued effort is all that is necessary to complete success. Several private cabinets have been gathered in the lead mines containing rare and valuable specimens, such as cannot now be obtained—and which I am apprized can be purchased at a moderate cost. Should the board deem it advisable, I will ascertain terms, and report to them at their next meeting.

The total expense attending the collections thus far, including printing of circulars, postage, freight, &c., is $7 50.

H. A. TENNEY,
Soliciting Agent for University Cabinet.

(No. 1.)

CIRCULAR.

MADISON, October 7, 1848.

DEAR SIR: The board of regents of the University of Wisconsin held their first meeting at this place last week, for the purpose of taking the incipient steps towards organizing this new institution. Among the many important subjects which occupied their attention, was a project for the early collection of a geological and mineralogical cabinet of the various ores, rocks, fossils, &c., found within the state. At the solicitation of members, I have consented to act as agent to solicit and receive such specimens as generous and public spirited citizens may be induced to contribute. To accomplish the object in view, I have forwarded a copy of this circular to gentlemen residing in every assembly district, and I address you personally as a friend of science and general education, to lend your efforts to aid in the accomplishment of the important objects proposed.

The design of the board is not only to secure a cabinet for the State University, but to aid all other colleges and academies within our borders in obtaining a like collection. All duplicate specimens received, will, from time to time be donated as opportunity offers, and it is the design to extend the benefits of the collection as far as possible. For this reason, several specimens of each kind are requested, when they can be conveniently obtained. They should be accompanied with the name of the donor, and the particular locality from whence obtained; and a list of those obtained will occasionally be published.

For the convenience of the public, the following list of the principal kinds is given, to wit:

Upper stratum of the cliff limestone; (found near the tops of the mounds,) magnesian limestone: (the lead rock as it generally occurs,) compact carbonate of lime; hard white carbonate containing carbonate of lime crystalized; chert; ferrugenous sandstone; sandstone with vegetable impressions; stalactite; stalagmite; cap rock, or "rider," closing over fissures containing lead ore; breciated cap rock; black clay; brown clay; nodular magnesian limestone; flint; chalcedony; carnelian; agate quartz; water limestone; blue or grey limestone; brown magnesian limestone; indurated shale, or slaty clay; upper sandstone, (found near the Wisconsin river and of various colors,) lower sandstone, (found just above the water level at Prairie du Chien;) oolitic chert, (fonnd on the Wisconsin river,) porphyritic boulders; hornblend do.; silicious slate do.; hornstone; grey clay; lowest stratum of lead rock; calcareous tufa; marl; (associated with blue or grey limestone;) sulphate of barytes, (found at Mineral Point and Gratiot's Grove, often connected with zinc ore, &c.;) all kinds of fossil remains, and pieces of rock with impressions of fossils. Also, specimens of ore as follows: hydrated brown oxide of iron; sulphuret of lead; (galena,) as it occurs massive, in cubes or crystals, as "float," in connection with rock, sulphur, zinc, &c.; sulphuret of iron; bog iron ore; argillacious iron ore; magnetic iron ore, (found only in boulders;) copper ore of every variety; carbonate of lead; sulphuret of zinc, (black jack;) carbonet of zinc, (drybone,) black lead ore; radiated and capillary pyrites; (often called sulphur,) &c,, &c.

To the above may be added such specimens as are peculiar to the primary strata, or Lake Superior country, to wit: talcose slate; trap rock; grey, blue, and yellow sulphuret of copper; veinstone; quartz containing copper pyrites; breccia of trap; gneiss; syenite; jasper; red sandstone; carbonate of lime with quartz; specular iron ore; silicate of lime; hornstone; magnetic oxide of iron; porphyritic sienite; mica; sulphate of baryta; greenstone; epidote; calcareous spar; garnets; &c., &c.

The above list is made from the report of explorations already made, and is probably far from complete. The specimens enumerated are all found within our borders.

I would suggest to those who are desirous to contribute, that each one would do well to send all such specimens as are within his reach; and that those lacking in his own locality will doubtless be contributed by others. Send what you can readily obtain, and rely upon it that others will do the same. In this way a collection will be speedily made. When received here they will be duly examined, labelled, and carefully preserved.

As the University is yet in its infancy, and the funds are not yet available, the specimens desired, it is expected, will be gratuitously bestowed. My services, such as they may be, are without any expectation or desire of reward, other than a consciousness of aiding a noble and most important project. It is hoped and believed, that members of the legislature and others visiting this place on business will willingly take charge of such specimens as are collected. When the transportation here i attended with extra expense, I have the assurance of members of the board of regents, that provision will be made to repay the same as soon as the institution has funds. Where specimens cannot be forwarded directly to me, and are deposited at any point, arrangements will be made to procure them, when notice thereof is received.

In conclusion, I would earnestly urge upon all who may recrive this circular, to contribute specimens, and solicit their friends and neighbors to do likewise. Every neighborhood can do something. Will you then try, sir?

Very respectfully,
Your obedient servant,
H. A. TENNEY.

No. 2.

LIST of specimens contributed to the cabinet of the State University:

NO.	NAME OF SPECIMEN.	LOCALITY.	CONTRIBUTOR.
	Rocks.		
1	Granite,	Lake Superior,	I. A. Lapham,
2	do.	Dodge county,	do do
3	Gneiss,	Lake Superior,	
4	Mica slate with garnets,	Stillwater,	Hon. J. Catlin,
5	Trap,	Mt. Tom, Mass.	J. Y. Smith,
6	Epidote, with copper,	Lake Superior,	I. A. Lapham,
7	Flint,	do do	
8	Agate,	F. St. Croix,	D. Lambert,
9	Porphyry,		
10	Chert,	Blue Mounds,	
12	Carnelian,	Lake Superior,	D. M. Holt,
12	Quartz and quartz crystals,	Little Falls, N. Y.	do do
13	Lower magnesian limestone,	Eagle, Waukesha county,	I. A. Lapham,
14	Middle group do.	Mineral Point,	
15	Yellow porous limestone.		do do
16	Corniferous limestone,		do do
17	Ferrugenous sandstone	Dane county,	do do
18	Calcareous spar,	New Diggings,	J. J. Marvin,
19	do do.	Niagara Falls,	I. A. Lapham,
20	Pudding stone,	Milwaukee,	do do
21	Tufa, or indurated moss	do	do do
22	do do	St. Pauls.	Hon. J. Catlin,
23	Marble,	Iowa city.	C. B. Chapman,
24	do	Vt.	do do
25	do.	Brown county,	Hon. C. Keuhn,
26	Stalactite,	Cave, Dane Co.	J. M. Shields,
27	Stalagmite,	do do	do do
	Ores.		
28	Copper, native,	Lake Superior,	I. A. Lapham,
29	do ore,	do do	do do
30	do do	Wolf Creek,	Jacob Haser,
31	Purple sulphuret do.	Mineral Point,	H, A. Tenney,
32	do do	do do	I. A. Lapham,
33	Copper boulder,	Dane, Dane Co.	P. Malone;
34	Iron ore,	Janesville,	I. A. Lapham,
35	Nodular iron ore,	Rutland,	J. Lawrence,

List of Specimens.—Continued.

NO.	NAME OF SPECIMEN.	LOCALITY.	CONTRIBUTOR.
36	Hematite, or brown oxide of iron,	Hubbard, Dodge county,	Miller & Sterling.
37	Specular iron ore,	Sauk Prairie,	E. M. Williamson,
38	Red oxide of iron,	Dodge county,	Hon. H. Barber.
49	Bog ore,	Washington co.	I. A. Lapham.
40	do		
41	Pyrites, a great variety of specimens,	New Diggings,	H. A. Tenney.
42	Crystals of do.	Twin Rivers,	Hon. C. Keuhn.
43	Lead, crystals of	Potosi,	Miss J. Sweeny.
44	do do	Bee Town,	H. Branstetta,
45	do massive	Shullsburg,	H. A. Tenney,
46	do float,	Benton,	do do
47	do carbonate,	Blue Mound,	do do
48	do from lower magnesian group.	Milton, Grant Co.	Hon. R. M. Briggs,
49	Sulphuret of zinc,		
50	Carbonate of do.		
	Palæontology.— FOSSILS.		
51	Pentamerus oblongus,		I. A. Lapham,
52	do do		do do
53	do do		do do
54	Chain coral,		do do
55	Coral sec. 26, 7, r 22, e		do do
56	do do		do do
57	do do		do do
58	do do		do do
59	do do		do do
60	do do		do do
61	do do		do do
62	do do		do do
63	do do		do do
64	do do		do do
65	Coral from Sandusky,		do do
66	Orthoceratite,		do do
67	do		do do
68	Dethyris,		do do
69	do		do do
70	Cyrtocera,		do do
71	Fucoin,		do do
72	do		do do
73	Orthacreas amphoameratum.		do do do do

List of Specimens—Continued.

NO.	NAME OF SPECIMEN.	LOCALITY.	CONTRIBUTOR.
74	Ligulites,		I. A. Lapham.
75	Encrinites,		do do
76	Coscinopora,		do do
77	Head of trilobite,		do do
78	catenipora escharoides		do do
79	Cyathophyllum,		do do
80	Base on an orthocrea.		do do
81	Head of do.		do do
82	Orthrocea,		do do
83	Favosite striata,		do do
84	Atrypa,		do do
85	Retepora infundibuli		do do
	formis,		do do
86	Columnaria,		do do
87	Fossil not named,		do do
88	do do	Bee Town,	S. Beasley.
89	do do	do	Cyrus Barr.
90	do do	Scott's Mills,	James M. Scott.
91	do do	do	do do
92	do do		Mrs. E. B. Dean.
93	Favosite,	——Ohio,	do do
94	Slab of limestone with fossil impressions.	do	do do
95	Cyathophyllum,		do do
96	Orthoceratite,		do do
	"Curiosities."		
97	Indian arrows,	Oregon,	J. J. Webster.
98	do do	Clymen.	S. Noyes,
99	do do	Bee Town,	Samuel Alex.
100	do do	Scott's Mills,	James M. Scott.
101	do do	Madison,	C. T. Wakeley,
102	do axes,	Rutland,	J. Lawrence,
103	do do	Bee Town,	G. W. Wilcox,
104	do do	Waukesha,	G. C. Cone,
105	do do		do
106	do do		do
107	do do		do
108	do chisel,		do
109	Ancient brick,	Aztalan,	I. A. Lapham,

The foregoing list embraces the principal specimens contirbuted. Where duplicates have been received, in general, name is inserted but once, unless where donated by two or more persons. A large number of specimens proffered, but not yet handed in, are not included. A suit of the terrestrial and fluvatile shells of Ohio and Wisconsin, very nearly complete, together with several hundred marine shells, which I propose to donate, are not enumerated, owing to the great length of the list.

LIST OF AGENTS.

The following named gentlemen have been selected as assistant soliciting agents, with the approval of the board, for the purpose of making collections and to solicit contributions in their several localities :

I. A. Lapham of Milwaukee ; Horace Jacobs and William Holcombe of Stillwater ; Hon. Joseph Bowron and George W. Brownell, Falls St. Croix ; Hon. R. M. Briggs, James M. Scott, Cyrus Barr, and Miles M. Young, of Bee Town ; Horace Craig of Potosi: J. H. Halsey, S. G. Bugh, and J. J. Marvin of Shullsburg ; Hon. M. M. Cothren, Harrison Lloyd, and Rev. Z. Eddy of Mineral Point ; T. M. Fullerton of Dodgeville ; Josiah Giles of Peddlar's Creek ; W. G. Rea of New Diggings ; Allen Worden of Wiota ; Hon. D. Murphy, and G. L. Bass of Benton ; Hon. T. Burns. of Franklin ; N. H. Hemiup of Hazle Green ; David Lambert of St. Pauls ; Joel B. Clayton, Black Jack ; D. G. Fenton and B. F. Manahan of Prairie du Chien ; Hon. H. Barber of Dodge ; Hon. C. Kuehn of Manitowoc ; Isaae B. Darnell, of Franklin, ; and Hon. J. Delaney of Portage.

Most of the above names, as will be seen, are from the lead region. It is especially desirable to secure a perfect suit from this section of the state, as it furnishes the most perfect specimens and greatest variety of fossils and minerals. Not to appear invidious, however, it is sufficient to say, in general terms to all, that every one is considered an agent who will use his efforts in favor of the proposed cabinet, and procure and forward specimens.

(No. 3.)

MIKWAUKEE, November 16, 1848.

DEAR SIR: I will lay aside for you as a donation for the proposed cabinet of the university, a suit of specimens illustrating the geology, mineralogy, and palœntology of the eastern portion of the state. It would be well for you to apply at the proper place in Washington for specimens collected by the geologists under the direction of Dr. Owen in the western and northern portions of the state. If these could be obtained, or even such duplicates as they would be willing to part with, they would lay the foundation for a complete representation of the geology of Wisconsin.

I hope you will meet with success in your exertions to promote the cause of science in our new state. It is not probable that a geological survey will be ordered very soon, but in the meantime much may be done by individuals if their efforts could be united in some way.

Yours truly,
I. A. LAPHAM.

H. A. TENNEY, Esq.

(No. 4.)

MILWAUKEE, January 8, 1849.

DEAR SIR: I have sent you by Z. A. Cotton, representative from this part of our city, a box of specimens for the proposed cabinet of the University of Wisconsin.

I propose further, to present to the University a pretty extensive Herbarium or collection of dried plants—about one thousand or fifteen hundred species—empracing nearly all those heretofore found in Wisconsin, together with others from the United States and from Europe, provided the regents will pay the expense of the paper and port folios necessary to contain the plants. This will not exceed ten cents for each plant.

Yours truly,

I. A. LAPHAM.

H. A. TENNEY, Esq.
Agent of the University.

(No. 5.)

STILLWATER, W. T. November 10, 1848.

DEAR SIR: Mr. P. A. R. Brace has just put into my hands a circular from you, relative to the collection of a suit of specimens, for the University of Wisconsin, and has requested me to interest myself in the matter.

I have now, at this place, and at the Falls of St. Croix, several boxes of specimens from the Upper St. Croix and other points, which it will give me a great deal of pleasure to transmit to you the first opportunity. If no other chance presents itself, I can send them to Galena or Prairie du Chien early in the spring. I shall probably be attached to the United States geological corps next season, and if so will be enabled to send you a larger amount and of greater variety.

Very respectfully, yours, &c.

HORACE JACOBS.

H. A. TENNEY, Esq.
Agent of the University.

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